



Outdoor "Dining" Permit

Approved By

Date of Issuance:

Expiration Date

Regular Permit

Temporary Permit

For Office Use Only

Applicant Information

Applicant:

Phone:

Mailing address:

City:

State:

Zip:

Name of Business

Address

Property Owner:

Phone:

Mailing address:

City:

State:

Zip:

FILING INSTRUCTIONS:

- Complete application
- Hours of Operation
- Attach a site plan, drawn to scale, showing location of dining area in proximity to existing buildings, parking spaces, driveways and public/private streets.
- Insurance: No permit shall be issued unless the applicant furnishes proof to the City of a public liability bond or insurance policy in an amount not less than \$500,000.00 for property damages and injury, including injury resulting in death, caused by the outdoor dining. Said insurance or bond shall name the City of Tulare, its employees, officers, and agents as additional insures.

FINDINGS:

- The application complies with all the provisions of Chapter 10.176 of Title 10 of the Tulare Municipal Code.
- That the configuration of the Outdoor Dining Area, including table placement and the method of delineation from pedestrian traffic and signage meets the minimum standards of Chapter 10.116 of the Tulare Municipal Code.

ADDITIONAL REQUIREMENTS:

- Alcoholic beverages shall be restricted solely to on-premise consumption by customers within the Outdoor Dining Area. The following standards apply to alcoholic beverage service:
 - a) The outdoor dining area must be immediately adjacent to and abutting the indoor restaurant which provides it with food and beverage service.
 - b) The outdoor dining area must be clearly delineated from pedestrian traffic.

- c) The operator shall post a written notice to customers that the drinking or carrying of an open container of alcohol is prohibited and unlawful outside the outdoor dining area.
- d) The outdoor dining operation must be duly licensed by the State Department of alcoholic Beverage control.
- Encroachment permit if applicable by the City Engineer, the issuance of a permit shall be conditioned upon:
 - a) Execution of an agreement holding the City harmless against claims from the applicant, patrons of the outdoor dining area, and pedestrians, in a form acceptable to the City attorney.
 - b) Applicant's insurance meeting requirements acceptable to the City's Risk Manager. The City shall be listed as additional insured on the endorsement and tied to the permit number to specify location and circumstances.
 - c) Such other conditions as are necessary for public safety or to protect public improvements, as determined through Site Plan Review; and
 - d) Such conditions as are necessary to restore the appearance of the sidewalk to its original condition on termination of use.

PERMIT REVOCATION:

An Outdoor Dining Permit may be revoked by the City Council, following written notice to the permitted, if one or more of the conditions of the permit or of this chapter have been violated or if the sidewalk vending stand is being operated in a manner which constitutes a nuisance, or unduly impedes or restricts the movement of pedestrians. Following revocation, the former permit holder shall not be eligible to file for a new permit application for a period of six (6) months.

A letter of authorization from Property Owner Yes No

(Signature from the property owner authorizing the applicant use of the property may be substituted see below).

Printed Name of applicant Date

Signature

Printed Name of property owner Date

Signature

Approval

APPROVAL

Planning & Building Director

CONDITIONS:
