

OFFICE OF  
VILLAGE CLERK



VILLAGE OF LARCHMONT  
120 LARCHMONT AVENUE  
LARCHMONT, NY 10538  
TEL: (914) 834-6230  
FAX: (914) 833-2170

WWW.VILLAGEOF LARCHMONT.ORG

## SIDEWALK CAFE PERMIT FOR PLACEMENT ON PUBLIC SIDEWALKS

### APPLICANT INFORMATION (PLEASE PRINT)

Today's Date			
Establishment Name			
Responsible Party Name			
Address			
Daytime Phone		Evening Phone	
E-Mail			
Total Square Feet Requested	X \$2.50/square foot		

Renewal w/No Change

New Permit & Renewal w/Change

Photograph attached

Plan attached

I certify that the information contained in this application and supporting documents is true and correct.

Signature: \_\_\_\_\_

### FOR VILLAGE OF LARCHMONT USE ONLY:

Application materials submitted  Adjacent property documents, if needed

Inspection made – Sidewalk Cafe Location Approved

Proper Insurance Certificate Received

Code Enforcement Officer

Initials \_\_\_\_\_

Date Approved \_\_\_\_\_

### FOR OFFICE USE ONLY:

Fee Paid \$ \_\_\_\_\_  CA  CK Date Issued \_\_\_\_\_ Permit No \_\_\_\_\_



## VILLAGE OF LARCHMONT REGULATIONS FOR SIDEWALK CAFES ON PUBLIC SIDEWALKS

### A. General Criteria

1. Sidewalk Cafes will be permitted to be placed on public sidewalks in certain areas which meet the criteria set forth herein, but in no event will they be permitted in areas which are not zoned for retail use.
2. Unless otherwise permitted by the Board of Trustees and/or the Code Enforcement Officer, sidewalk cafes will only be permitted for service of food from the establishment to which they are adjacent to patrons of that establishment. They are not to be used for display of products, materials or signage.
3. Any permit granted under the terms of these regulations for the placement of sidewalk cafes on public sidewalks will be revocable at any time at will by the Larchmont Board of Trustees.

### B. Application

1. The application shall be submitted to the Village Clerk . A permit shall be issued upon compliance with all conditions set forth herein, including, but not limited to, approval of location by the Code Enforcement Officer or designee.
2. The applicant must be the owner or operator of the business where the sidewalk cafe will be placed. If a sidewalk cafe is also to be placed in front of adjacent storefronts, the applicant must receive written permission from both the landlord and tenant of the adjacent storefronts in order to place furnishings on the sidewalks at those locations.
3. The application shall give the name of the business applying for the sidewalk café permit, the name of the individual owner or employee of the business who will be responsible for the placement and removal of the furnishings, the phone number of the business, and the address of the business.
4. **The application shall include an accurate photograph of the area of the proposed sidewalk café.**
5. **The application shall include a plan, at a scale of ½ inch equals one foot, showing the proposed area of the sidewalk café, the location of all furnishings and the dimensions of the proposed sidewalk café area relative to the adjacent building, curb, trees, signs, trash bins, streetlights, fire hydrants, utility poles, benches, parking meters or any other obstacle to pedestrian passage.**

### C. Location Criteria

1. Pedestrian and vehicular traffic shall not be impeded or obstructed.
2. No furnishings of the sidewalk café, such as waiter stations, may be placed outside the permitted area.
3. Chairs shall not be placed on the street side of the table, which will cause further encroachment onto the sidewalk.
4. No sidewalk cafe will be permitted on any sidewalk which is less than six (6) feet in dimension from the building to the curb.
6. There must be at least five (5) feet clear from the area occupied by the sidewalk cafe to the curb free of all obstructions, such as trees, signs, trash bins, streetlights, fire hydrants, utility poles, benches, and parking meters in order to allow for adequate and safe pedestrian movement.

7. If permission is obtained from landlords and tenants of adjacent storefronts, furnishings from the applicant's establishment may be placed on the sidewalks in front of those establishments, provided that the furnishings meet all criteria outlined in these regulations and approval is obtained from the Code Enforcement Officer
8. The actual site location of the sidewalk cafe shall be approved by the Village Code Enforcement Officer. The Code Enforcement Officer may, for reasons of public safety, determine that no sidewalk cafe may be placed in certain locations even if the other criteria set forth herein are met.

#### **D. Size and Materials**

1. No molded plastic chairs shall be permitted.
2. The permit holder shall be responsible for assuring cleanliness and removal of trash and debris arising from the use of the sidewalk cafe.
3. Umbrellas and railings may be used, provided they do not have advertising on them. They should be in solid colors, compatible with the storefront. The Code Enforcement Officer will determine the permitted size, height, and clearance of the umbrellas. The Board of Architectural Review will determine a range of permitted colors on request of the Code Enforcement Officer.
4. Portable outdoor patio heaters are allowed provided the appliance is listed or labeled by a recognized product testing lab, is operated according to manufacturer's specifications and is located and used so that it is not a hazard to sidewalk café patrons or pedestrians.

#### **E. Time When Sidewalk Cafes May Operate**

1. Sidewalk cafes are not permitted between the hours of 10:00 PM and 7:00 AM, Sunday through Thursday, and 11:00 PM and 7:00 AM, Fridays and Saturdays. Furnishings may remain outside until the restaurant closes, but no one may sit at a table after the above hours.
2. Furnishings must be removed from the public sidewalk at any time when the establishment to which they are adjacent is not opened for business.

#### **F. Fee Permit Duration**

1. No permit shall be issued unless the required fee is paid in advance. If furnishings are placed in any location where they are not allowed under the terms of the permit and these regulations, the Village shall have the right to remove the furnishings and a pick-up fee will be assessed to the permit holder in the amount of \$100.00.
2. Permits shall run for one year and expire on April 30 of each year.
3. The annual permit fees shall be: \$2.50/square foot, with a minimum fee of \$100.00.
4. A permit shall be valid only during the year in which it is issued. New and renewal applications will be accepted beginning April 1, and a new fee paid.
5. The permit holder must supply the Village with the Village's standard indemnity and hold harmless agreement (attached herewith), and an insurance certificate naming the Village as an additional insured in the amount of \$1 million on all policies of insurance covering third party liability and workmen's compensation shall be required prior to the placement of any furnishings on the sidewalk.
6. The criteria set forth herein shall be deemed conditions of any permit issued hereunder, and violation of any such condition or any other conditions of the permit shall result in a termination and forfeiture of the permit.

OFFICE OF



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MUNICIPAL BUILDING  
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FAX: (914) 833-2170

**INDEMNIFICATION & HOLD HARMLESS AGREEMENT  
FOR OPERATION OF A SIDEWALK CAFE ON PUBLIC SIDEWALKS**

I, \_\_\_\_\_, shall indemnify and save harmless the Village of Larchmont and their officers, agents, servants and employees, from and against any and all claims, demands, suits, proceedings, liabilities, judgments, awards, losses, damages, costs and expenses, including attorneys' fees, on account of bodily injury, sickness, disease or death sustained by any person or persons or injury or damage to or destruction of any property, directly or indirectly arising out of, relating to or in connection with this Permit, whether or not due or claimed to be due in whole or in part to the active, passive or concurrent negligence or fault of the Applicant, his officers, agents, servants or employees, any of his subcontractors, the Owner, the Village of Larchmont, or any of their respective officers, agents, servants or employees and/or any other person or persons, and whether or not such claims, demands, suits or proceedings are just, unjust, groundless, false or fraudulent; and the Applicant shall and does hereby assume and agrees to pay for the defense of all such claims, demands, suits and proceedings.

Signed: \_\_\_\_\_  
Title: \_\_\_\_\_  
Company: \_\_\_\_\_  
Location: \_\_\_\_\_  
(address)  
\_\_\_\_\_  
(city, state, zip code)

Sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
NotaryPublic, County of Westchester