All current permits EXPIRE NOVEMBER 30, 2021.

Anyone who wishes to use sidewalks, and/or parking lanes must complete a new application every year, as described below, and submit permit fees.

Permits can be issued for the use of sidewalks and parking lanes directly in front of the Applicant’s business. An extension of the permitted area beyond the Applicant’s frontage may be requested from the Board of Trustees. See attached Regulation #2 for details. The Village will provide and set up the necessary barricades for approved parking lane uses. Those business owners who previously erected enclosures and platforms on public property may, as part of this application, request that they remain, however Regulation #2 still applies.

To apply for the permit, place the following in an envelope labeled “PUBLIC SPACE USE PERMIT, ATTN: VILLAGE CLERK” and drop it off in the Village Hall clerk’s office Monday-Friday 8:30am – 4pm:

1. Completed application form for either an ANNUAL or SEASONAL permit.
2. On a separate sheet(s) of paper, provide:
   - a photo and sketch or map of the location(s) you wish to use
   - if you intend to erect or re-use enclosures, platforms or other structures, provide detailed sketches with a materials list
   - what furnishings (with quantities) you may be using (e.g., tables, chairs, clothing racks, display tables, planters, umbrellas, lights, etc.)
   - if you need electricity, you may be able to connect to Village light pole outlets with Village permission. Please state your desire to do so on your list. If you cannot connect to light pole outlets because of your location, please show where you would run electric cables and how you would make them safe for pedestrians.
3. Signed indemnification agreement (at the end of application).
4. A copy of your business’ Certificate of Insurance with the Village of Larchmont named as additional insured (see attached Regulation #5).
5. A check made payable to Village of Larchmont, memo note “sidewalk café permit”

NOTE: The fee for the ANNUAL PUBLIC SPACE USE PERMIT is $6.00/sq. ft. + $30/concrete barrier.

The fee for the SEASONAL PUBLIC SPACE USE PERMIT is $4.00/sq. ft. + $30/concrete barrier.
Public Space Use Permit Application Form

<table>
<thead>
<tr>
<th>APPLICANT INFORMATION (PLEASE PRINT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit Type</td>
</tr>
<tr>
<td>Establishment Name</td>
</tr>
<tr>
<td>Responsible Party Name</td>
</tr>
<tr>
<td>Address</td>
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<tr>
<td>Cell Phone of Owner</td>
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<tr>
<td>E-Mail</td>
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<tr>
<td>Square Feet Requested</td>
</tr>
<tr>
<td># Concrete Barriers Required</td>
</tr>
<tr>
<td>Requesting expansion beyond business frontage?</td>
</tr>
<tr>
<td>If yes, have you attached written explanation of need? (as per Regulation #2)</td>
</tr>
</tbody>
</table>

I certify that I have read the attached Regulations and will abide by them or risk revocation of my permit.

Signature: ___________________________________ Date: ______________

INDEMNIFICATION & HOLD HARMLESS AGREEMENT FOR OPERATION OF A BUSINESS ON PUBLIC SPACE

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)
REGULATIONS FOR USE OF ANY PUBLIC SPACES

1. The Applicant MUST be the owner or operator of the business using the public space. The completed 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. The Code Enforcement Officer may, for reasons of public safety, determine that no use may occur in certain locations even if the other criteria set forth herein are met.

2. **Permits may be issued for sidewalk and street use directly in front of the business of the applicant ONLY.** An extension of the permitted area beyond the applicant’s frontage may be requested from the Board of Trustees. The decision to grant or deny such requests will consider many factors, including but not limited to:
   - the stated need
   - the potential to cause an undue hardship on other business owners
   - the usability of any remaining parking spaces.

   If the applicant wishes to be considered for an extension, they must provide with their application a written explanation of why the extension is necessary. They may be asked to receive written permission from the tenant of the adjacent occupied storefront(s) as well.

3. Any permit granted for use of the public space does not confer any rights to Village property upon the Permit Holder and will be revocable at any time at will by the Village.
   - If weather conditions so require, any structures in use may have to be removed by the Permit Holder at the direction of the Village of Larchmont Administrator or their designee.
   - If underground utilities need to be accessed or repaired, or other emergencies necessitate the use of the area, any structures in use may have to be removed by the Permit Holder at the direction of the Village of Larchmont Administrator or their designee.

4. Permits are valid from either December 1, 2021 – November 30, 2022 (Annual Permit) or April 1, 2022 – November 30, 2022 (Seasonal Permit) or by determination of the Code Enforcement Officer, his designee, or the Board of Trustees.
   - In order to protect the character of the downtown, Permit Holders who do not make use of requested street space for two consecutive weeks will forfeit the ability to use the public space with no permit fee refund. Exceptions are for weather conditions which render the space unusable or the Village has required the use of the space for Village purposes.

5. 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 Permit Holder must comply with and enforce in their business practice all NYS guidelines and regulations regarding COVID-19 controls and any other applicable laws related to their particular business.

7. Permit Holders may use the permitted public space between the hours of 7:00 AM and 10:00 PM, Sunday through Wednesday, and 7:00 AM and 11:00 PM, Thursday through Saturday. Recorded music may be played at reasonable levels. Live music requires a cabaret license from the Village Clerk. Furnishings on public sidewalks would ideally be removed after closing, but may be left against the building if properly secured so as to not create a hazard. Furnishings on streets may be left overnight at owner’s risk.

8. Permit Holders may, with permission:
   - Use umbrellas, railings and patio heaters.
   - Have lighting: Lighting should be for ambience only. Light temperature should be warm, not bright white. No floods, strobes or color-changing lights allowed.
If you need electricity for lights, you may be able to connect to Village light pole outlets with Village permission.

SPECIFY if you will be connecting to a Village outlet, for what purpose and quantity of items to be connected.

If you cannot connect to light pole outlets because of your equipment or location, please show where you would run electric cables and how you would make them safe.

- Create and use enclosures, platforms and other structures, such as igloos, greenhouses, etc., if approved. Permit Holders with structures must abide by the following:
  - Platforms MUST allow for flow of storm water along the curb. Detailed sketches with materials list must be provided and work must be done by licensed contractors.
  - Enclosures or structures (igloos, greenhouses, etc.) must be secured against high wind events. NOTE: Structures CANNOT be anchored to the concrete sidewalk or asphalt pavement.
  - Explain how the structure will be heated – be explicit with type and model.
  - Permit Holders are responsible for removing snow from enclosures or structures in a safe and responsible manner. Snow may not be thrown into the roadway.
  - The structures should present a positive curb appeal and add to the attractiveness of the downtown.

9. The Permit Holder is responsible for:
- Securing all furnishings properly and attractively. No furnishings may be placed outside the permitted area.
- Assuring cleanliness and removal of trash and debris arising from the use of the public space.
- Assuring safe pedestrian access to the area of their use and safe pedestrian movement along the sidewalk being used or adjacent to the area of use (4 feet clear between the area of use and the curb).
- Maintaining an attractive space. All materials used must be in good condition and cleaned regularly, all plants must be fresh and pots should be decorative and heavy enough to withstand strong winds. Dead plant materials must be removed immediately.

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.

FOR VILLAGE OF LARCHMONT USE ONLY:
- Application materials submitted, photograph and plan attached
- Adjacent property documents, if needed
- Inspection made – Location Approved
- Proper Insurance Certificate Received
- Fee received: $__________
  (__________ sq. ft. x $4.00 = _________, plus $30/barrier = total due)

Code Enforcement Officer
Initials  Date Approved  ______________

FOR OFFICE USE ONLY:
Date Issued  Permit No  __________