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| <p>Marie Andrew<br/>Code Enforcement Officer</p> <p>Phone- (518) 686-7072 Ext, 110<br/>Fax- (518) 686-4902</p> <p>E-Mail<br/><a href="mailto:buildinginspector@hoosick.org">buildinginspector@hoosick.org</a></p> |  | <p>DEPARTMENT OF CODE<br/>ENFORCEMENT</p> <p>Municipal Building<br/>24 Main St<br/>Hoosick Falls, NY 12090</p> |
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## *Outdoor Dining Permit Application*

Requirements for Outdoor Dining Permit, pursuant to Village of Hoosick Falls Local Law No. 5 of 2022

1. An application for Outdoor Dining Permit with the name and address of applicant must be completed, signed and notarized.
2. One sketch plan depicting the proposed layout of the outdoor dining area.
3. The application shall be accompanied by a \$25.00 filing fee, payable to the Village of Hoosick Falls.

### **Sidewalk Cafes:**

The Building Inspector is hereby authorized to grant revocable permits for the use of the sidewalk cafes upon the following terms and conditions. No sidewalk café may be operated except:

1. As an accessory to a restaurant or retail food store lawfully operating with a **valid Use permit** on the first floor of premises.
2. On the sidewalk adjoining the principal place of business of such entity no closer than four feet from the curb.
3. By the entity which operates the restaurant or retail food store.
4. Any outdoor dining that abuts parking, must include some type of heavy-duty safety barrier for patron safety purposes.
5. Alcohol shall not be offered for sale as part of an outside dining permit without a license to do so by the New York State Liquor Authority. Such approval from the New York State Liquor Authority shall be made a part of the application if a request to sell alcoholic beverages outside of the premises is part of the application.
6. Applicant acknowledges that he/she has reviewed Local Law No. 5 of 2022 of the Village of Hoosick Falls as it relates to the Rules & Regulations of outdoor dining within the Village and agrees to be bound by them.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**Sidewalk café licenses are issued annually. Applicants must apply every year for license renewal, which will require an inspection and certification that the sidewalk café is compliant and in good condition.**

**Application for Outdoor Dining Permit**

Tax Map No. \_\_\_\_\_

Date: \_\_\_\_\_

**All information below to be filled out by applicant. A permit must be obtained before the intended use. This application is to be submitted depicting the proposed site for activity, along with a sketch plan depicting the proposed layout of the Outdoor Dining Area.**

The **OWNER** of the property is: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

The person responsible for the operation of the outdoor café and compliance with the Zoning Code is:

Name: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

Phone No. \_\_\_\_\_ Cell No. \_\_\_\_\_ Fax No. \_\_\_\_\_

Physical Location: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Will the dining area be located on Municipal Property? Yes  No

**All outdoor dining areas must be arranged to comply with the New York State Fire Prevention and Building Code and the Village Code of the Village of Hoosick Falls**

**AFFIDAVIT:  
Village of Hoosick Falls)  
County of Rensselaer) S.S.  
State of New York)**

I swear that to the best of my knowledge and belief the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of proposed dining area to be done on the described premises and that all provisions of the **New York State Fire Prevention and Building Code, and the Village Code of the Village of Hoosick Falls**, and all other laws pertaining to the proposed dining area shall be complied with, whether specified or not, and that all inspections are authorized by the owner and the person responsible for the operation of **the Outdoor Dining Area, and that the property has no outstanding violations.**

\_\_\_\_\_  
Signature of Applicant

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

Of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
(Notary Public, Suffolk County, New York)

**TO BE COMPLETED BY VILLAGE OF HOOSICK FALLS STAFF:**

Application No. \_\_\_\_\_ Date \_\_\_\_\_ Permit No. \_\_\_\_\_ Date \_\_\_\_\_

Permit Expires \_\_\_\_\_ Zoning District \_\_\_\_\_ Disapproved Zoning \_\_\_\_\_

Approved By \_\_\_\_\_ Building Fee \_\_\_\_\_ Electric Fee \_\_\_\_\_ Receipt No. \_\_\_\_\_

MnrkSurdnm  
Code Enforcement Officer

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DEPARTMENT OF CODE  
ENFORCEMENT

Municipal Building  
24 Main St  
Hoosick Falls, NY 12090

## OUTDOOR DINING APPLICATION

### APPLICANT INFORMATION

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Owner/Operator Name: \_\_\_\_\_

Owner/Operator Address: \_\_\_\_\_

24-Hour Contact Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

### DOCUMENTS THAT MUST BE SUBMITTED:

- \_\_\_ Detailed Sketch Plan
- \_\_\_ Certificate of Liability Insurance
- \_\_\_ Landlord Letter (If Applicant is not the owner of the property)
- \_\_\_ County Permit (If the Application is for the use of County Owned Property)
- \_\_\_ Liquor License (If Applicable)

### APPLICANT STATEMENT

\_\_\_\_\_ agrees to indemnify, defend, and hold harmless the Village from any and all liability or claims, including but not limited to death, serious bodily injury, and property damage, arising from the implementation and utilization of a sidewalk café operations in accordance with this Agreement.

As a representative of the above-named applicant, as Responsible Party, do hereby acknowledge that I am responsible for the daily cleaning and maintenance of the sidewalk café (aka outside dining area). I do hereby acknowledge that I have received, read and am legally bound by all outdoor dining/sidewalk café requirements as set forth in Local Law No. 5 of 2022 of the Village of Hoosick Falls, and that non-compliance with said requirements may result in citations, fines, and/or the loss of this outdoor dining permit.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

## **SIDEWALK CAFÉ INFORMATION SHEET**

### **General Licensing and Operation:**

- a. License is valid Jan 1 – Dec 31 of each year. No proration of license fees.
- b. No outdoor dining shall be permitted before 7 a.m. or after 11 p.m.
- c. Outdoor entertainment, music or public address system, or any other forms of noise generation within the outdoor dining area, must comply with any applicable noise regulation of the Village of Hoosick Falls.
- d. All fixtures associated with the sidewalk café set up must be removed from the sidewalk at the conclusion of each business day, unless otherwise approved by the Village. Any barriers or furniture approved by the Village to remain overnight must be safely secured in place. All light-weight equipment shall be removed, and umbrellas and canopies shall be closed and/or removed each evening.
- e. A clear pedestrian pathway of AT LEAST 6' WIDE must be maintained at all times. At least 4' wide if the sidewalk is less than 10' wide.
- f. Existing street amenities shall not be disturbed or obstructed by cafe seating.
- g. The licensee must maintain cleanliness of the sidewalk in and around the sidewalk café.
- h. A sidewalk café may only encumber the frontage width of the licensed establishment.
- i. Sidewalk cafes may not be set up when there is snow on the street or sidewalk.
- j. No exterior lighting which unreasonably illuminates beyond the boundaries of the outdoor dining area shall be permitted.
- k. The Village of Hoosick Falls reserves the right to order temporary suspension and removal of all fixtures associated with any outdoor dining from the public sidewalk or roadway due to road or utility construction, predicted high winds or severe weather, the need to remove snow or ice from the sidewalks and street, or any other public emergency that may arise.

### **Other licenses/permits required:**

- A. COUNTY – If your sidewalk café is proposed on a County road, you must obtain a Rensselaer County permit for outdoor seating before attaining Village of Hoosick Falls approval.
- B. LIQUOR – a New York ABC Extension of Premises permit must be applied for and maintained by the liquor licensee in order to serve alcoholic beverages in any streatory.
- C. FIRE (Propane Heater) – propane heaters require a permit from the Fire Department. Propane heaters cannot be placed within 5' of anything combustible. A fire extinguisher must be within 25' of the heater.

**Fee:** a fee of \$25.00 must accompany your application

## **SIDEWALK CAFÉ INFORMATION SHEET**

**Detailed Sketch Plan** – must at a minimum include the following:

1. Dimensions (width and length) of the sidewalk café area(s) in relation to adjacent buildings and sidewalk
2. Width of the public sidewalk
3. Proposed layout of tables, chairs, signs, umbrellas, heaters, and other equipment in the café area
  - i. Umbrellas and other furniture shall not impede pedestrian or vehicular visibility nor extend into the travel lane or over the pedestrian pathway.
4. Building entrances of any building fronts you will be occupying
5. Photo or rendering of dividers/barriers you will be using (necessary if sidewalk café accommodates 8 or more patrons).
  - i. You may use bollards, planters, fence, etc. Any barrier shall be fully within the café area and not encroach upon the pedestrian pathway.
  - ii. They should be free-standing and stable, between 3’-3.5’ tall, and made of quality material (i.e., metal, wood, canvas) that can be easily maintained in good condition throughout the season.
6. Source of and location of wiring for any power and lighting in the sidewalk café. Any lighting shall be low voltage, low-lumen, indirect/screened. Any overhead lighting shall be stored away when the sidewalk café is not in use.
7. Any additional signage except those incorporated into a temporary barrier, must be approved by the Village’s Planning Board.

**Landlord Letter** - providing consent from the landlord for outdoor dining for the year or multiple years is required to obtain a permit. If the landlord also owns the business, please submit a letter stating so.

**Certificate of Liability Insurance** - you must submit proof of an occurrence based policy 1) with a minimum amount of \$1,000,000 per occurrence and \$2,000,000 in aggregate; 2) naming the Village of Hoosick Falls as an additional insured; 3) in full force and effect during the licensing period; and 4) including a 30-day cancellation clause that provides notice to the Zoning Office. Failure to provide proof of such insurance will result in an automatic denial of your permit application.