



**CITY OF SARASOTA
DEVELOPMENT APPLICATION**

**Temporary Outdoor Café Revocable
Right-of-Way Use Permit Application**

FOR OFFICE USE ONLY:			
APPLICATION NO.:	PERMIT: FROM:	TO.:	DATE RECEIVED:

Please complete the following:

Business (Outdoor Café) Name: _____

Property Address: _____ City/State/Zip: _____

Applicant Name (Please indicate if Property Owner or Lessee): _____

Phone No.: _____ Email Address: _____

NO. OF TABLES: _____ NO. OF CHAIRS: _____ NO. OF UMBRELLAS: _____

PLEASE INDICATE YES OR NO:		Yes	No
1.	Does this café currently have a Sidewalk or Outdoor Café Permit on file with the City of Sarasota for the year 2020? <ul style="list-style-type: none"> • If NO, include the following items with the application: <ul style="list-style-type: none"> ○ Scale drawing showing seating layout (see below for layout requirements). ○ Certificates of Insurance and Endorsement (or other equivalent documentation) evidencing that the "City of Sarasota" is an additional insured (see below for details). ○ Document(s) of support from adjacent business owner (if expanded seating is requested). ○ State of Florida Department of Business and Profession Regulation Liquor License (if serving alcohol). 		
2.	Will café seating be located in front of an adjacent business? <ul style="list-style-type: none"> • If YES, indicate expanded seating on scale drawing. Include a document indicating support from the owner and business to which café is adjacent, if different. Please note that if the café is not in front of restaurant, the cafe must be within 50 feet of restaurant entrance. Also, the distance from the last café table to the restaurant entrance must be reasonable for control and maintenance of area. 		
3.	Will café seating be located in temporarily designated parking spaces? <ul style="list-style-type: none"> • If YES, indicate on the scale drawing which spaces are requested. Parking space seating requests are subject to review on a case by case basis. Please be aware that handicapped parking spaces, access aisles, and ADA accessible areas cannot be blocked. 		
4.	If parking space café seating is requested, do you request the use of City-owned barricades to block off the parking space seating area? <ul style="list-style-type: none"> • If YES, you will need to contact the Public Works department at (941) 263-6793 to schedule a time to pick up barricades during business hours. 		
5.	Will beer, wine, or other alcoholic beverage be served or consumed at the outdoor café? <ul style="list-style-type: none"> • If YES, include a copy of the State of Florida Department of Business and Profession Regulation Liquor License (unless already on file). 		

A scale drawing of the requested permit area (hand drawn is acceptable) is required for all applications with changes to expanded seating and/or parking space seating. Please include the following on the scale drawing layout:

- CDC required separation of 6' between parties (back of head to back of head)
- a minimum of 7.5 feet wide walking space on sidewalk area.
- existing curb line or the lateral line of a street.
- adjacent private property line.
- ground-floor entry of the support business.
- location of tables, chairs, doorways, handicapped ramps, alleyways, trash receptacles, benches, and trees.
- size of tables, chairs, umbrellas, and any other sidewalk obstruction either existing or proposed within the vicinity.

Certificates of Insurance and Endorsement issued by an insurance company licensed to do business in the State of Florida that:

- provides public liability and property damage insurance pertaining to the Permit Area in a minimum amount of \$1,000,000 per person and \$2,000,000 in the aggregate per occurrence, and property damage in a minimum amount of \$500,000.
- provides liquor liability (if applicable) in a minimum amount of \$1,000,000; and 2,000,000 in aggregate per occurrence
- names the City of Sarasota as an additional insured.
- provides that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance written notice to the City.
- **Please Note:** In order to more quickly facilitate the operation of businesses, the applicant may submit the application without the required proof of insurance on condition that said applicant certifies that the business does meet the necessary insurance requirements outlined in the City Code and will furnish the City with copies of the necessary documentation within ten business days of permit issuance. The applicant understands that failure to provide the City with the necessary documents within ten business days of permit issuance may result in the revocation of the permit by the City of Sarasota.

This application is for a temporary permit for outdoor dining in an expanded area to facilitate compliance with social distancing requirements in Executive Order 20-112 and to offset limitations on indoor dining in this Order. The term of a permit issued based on this application shall be as determined by the City of Sarasota. The City reserves the right to charge for the loss of parking spaces as the result of expanded outdoor dining. The permittee shall comply with the requirements of Section 30-22(c)(2) of the Sarasota City Code. Failure to follow these requirements could result in termination of the permit.



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Business (Outdoor Café) Name: _____

I, the undersigned, have received a copy of Sec. 30-22(c) (2) of the City Code and the application information. I have reviewed this application and certify that all information is true and correct and agree to the Outdoor Café Revocable Right-Of-Way Use Permit requirements.

As an express condition of the issuance of the Permit and in consideration of being granted the Permit, I agree to indemnify and hold harmless the City against all claims, liability, loss, injury, death, or damage whatsoever on account of or arising out of the subject matter of this Permit. Further, in the event the outdoor café has chairs, tables, umbrellas, plants, outdoor lighting, or irrigation affixed to the sidewalk or ground, and the City requires access to infrastructure located beneath the permit area, I agree to indemnify and hold harmless the City against all claims, liability, loss, injury, death, or damage whatsoever on account of or arising out of the removal of the fixed improvements.

In consideration of the issuance of this Outdoor Cafe revocable right of way use permit, I agree to adhere to all standards and requirements noted herein and in Sec. 30-22(c)(2) of the City Code and to any specific additional conditions of approval that may be required by the City Engineer at the time the permit is issued. I acknowledge the need for a clear sidewalk area of at least 7.5 feet with no obstructions. **I agree to undertake the duty of regular inspection of the permit area and informing the City's Risk Manager immediately upon discovery of any dangerous or unsafe condition by calling Risk Management at 941-263-6339.** I have informed my staff of the clear walkway and cleanliness requirements and understand the City may issue a fine or revoke the permit if a walking path of 7.5 feet is not maintained. I have read and signed the Acknowledgment form provided on CDC requirements.

I agree to make a copy of the permit, which may be a reduced size, and outdoor café seating layout visible for the public at all times during the café operation.

Signed this _____ day of _____, _____

Signature of Property Owner, Lessee, Contract Purchaser, or Agent [Circle One]

Completed Application Forms may be submitted to the Office of the City Auditor and Clerk via the drop-box located in the lobby of the City Hall Annex Building at 1565 1st Street, Sarasota, FL 34236. Applications may also be submitted electronically to the Development Applications Coordinator at sean.wilkins@sarasotafl.gov. For questions regarding Temporary Outdoor Café Permit applications, please email the Development Applications Coordinator, or call the Office of the City Auditor and Clerk at (941) 263-6451.

APPROVALS:

The City Engineer certifies this application for a outdoor café is in compliance with the Temporary café guidelines provided as Exhibits A&B. The Outdoor Café Revocable Right-Of-Way Use Permit is issued and expires _____.	
_____ Date	_____ Alexandrea DavisShaw, P.E., P.T.O.E., City Engineer

THE FOLLOWING APPROVALS ARE REQUIRED FOR NEW APPLICATIONS ONLY:

The Director of Development Services certifies that the zoning of the real property on which the support business is located is _____ which allows for a restaurant.	
_____ Date	_____ Director of Development Services

The Risk Manager certifies that the insurance requirements outlined in the City Code have been reviewed/approved, or further direction has been provided to meet this requirement.	
_____ Date	_____ Risk Manager

ACKNOWLEDGMENT AND RELEASE

PLEASE READ CAREFULLY:

1. The undersigned has applied for a temporary café permit from the City of Sarasota to allow outdoor dining within an expanded area of public right of way. The expanded dining area allowed by the permit would not be allowed under normal circumstances, but is currently allowable because the City of Sarasota desires to assist its businesses to recover from the adverse economic effects of the COVID-19 pandemic and business closures mandated by the Governor of the State of Florida to combat the pandemic.

2. If the temporary café permit to allow outdoor dining within an expanded area is approved and the undersigned receives a permit, the undersigned understands and acknowledges that City approval and the validity of the permit are conditioned upon full compliance with the terms and conditions of the Governor's Executive Order 20-112 with respect to the operation of the subject business establishment and also conditioned upon full compliance with any successive Executive Order regulating the conduct of its business. Executive Order 20-112 is applicable during Phase I of the re-opening of Florida businesses and subsequent Executive Orders may be applicable during subsequent phases of the re-opening process.

3. The undersigned understands and agrees that in the event the business establishment identified below fails to comply with any provision of the Governor's Executive Order 20-112, or subsequent Order, that the temporary café permit may be summarily revoked by the City of Sarasota, at the sole discretion of the City of Sarasota; that the undersigned shall have no right of appeal; and that the City of Sarasota shall incur no liability to the permittee as a result of such revocation. The undersigned specifically acknowledges that in the event the permit is approved, the undersigned shall acquire no property right in the permit. The term of the temporary permit, if issued, shall be as determined by the City of Sarasota.

Signature of Applicant/Permittee

Business establishment

Printed name of signator

Date signed

Sec. 30-22 (c) (2). - Right-of-way usage permits for sidewalk cafes.

(c) *Conditions of approval.*

(2) *Mandatory conditions.* The following conditions and restrictions shall apply to each and every sidewalk cafe permit issued by the city engineer:

- a. *Live entertainment.* There shall be no live entertainment, amplified music, or mechanically amplified sound of any nature whatsoever within the permit area.
- b. *Equipment and trash cans.* Stoves, ovens, hot plates, beverage coolers and similar restaurant equipment shall not be placed within the permit area. Additionally, no privately owned trash cans shall be placed within the permit area.
- c. *Portable furniture.* Except as otherwise provided in this section, only portable, temporary chairs, tables and umbrellas may be placed within the permit area. No tables and chairs or other furniture shall be chained together or bolted together as a unit or affixed to the sidewalk or ground surface. However, an application for a permit for a sidewalk cafe to be located in the Commercial Tourist (CT) or the Commercial Storefront (CSD) zone district may contain a request to have chairs, tables, umbrellas or outdoor lighting that is affixed to the sidewalk or ground surface and such request may be approved by the city engineer.
- d. *Prohibited items.* Except as otherwise provided in this section, outdoor lighting, electrical outlets or irrigation systems are prohibited within the permit area. However, an application for a permit for a sidewalk cafe to be located in the Commercial Tourist (CT) or the Commercial Storefront zone district may contain a request to place outdoor lighting, electrical outlets or irrigation systems within the permit area and such request may be approved by the city engineer.
- e. *Hours of operation.* For sidewalk cafes located in the Commercial Tourist (CT) or Commercial Storefront (CSD) zone district, the permittee shall cause all patrons to vacate the permit area by 11:00 p.m. on Sunday through Thursday nights inclusive; and by no later than 11:59 p.m. on Friday and Saturday nights and on evenings prior to a federal holiday.
- f. *Insurance.* No sidewalk cafe shall be operated unless the insurance policies described in subsection (b)(1)e. above covering the permit area are currently in effect.
- g. *Location of entrance.* An entry to the ground floor of the principal indoor restaurant use shall be located no more than fifty (50) feet from the nearest table as sited within the sidewalk cafe permit area.
- h. *Alcoholic beverages.* Beer, wine or other alcoholic beverages may be consumed at a sidewalk cafe provided that the alcoholic beverage is purchased from the sidewalk cafe, the purchaser is seated at a table and the alcoholic beverage is served at a time when food service is available at the sidewalk cafe.

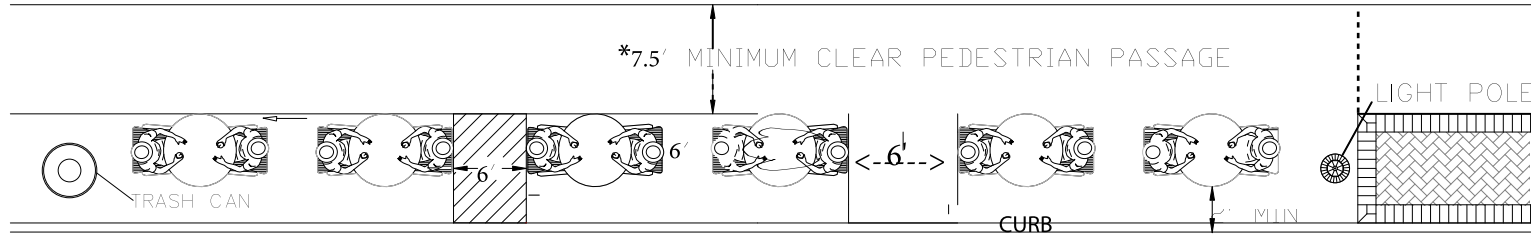
(d)

(Ord. No. 09-4837, § 1, 7-19-10)

ADJACENT BUSINESS

With approval from this business

PERMITTED BUSINESS



Cafe may request use of parking spaces in front of business -

Exhibit A



Best Practices for Social Distancing at Restaurants

Contact the Florida Department of Business and Professional Regulation (DBPR) at **850-487-1395** for more information
<http://www.myfloridalicense.com/DBPR/hotels-restaurants/>

Employees must practice proper social distancing (6 foot separation) from each other and customers at all times

Indoor seating must be limited to 25% of the building capacity with a minimum 6-foot separation between each seating party

Seating parties must be limited to 10 people or less (indoor or outdoor seating)

Outdoor seating is permitted with all parties maintaining a 6-foot separation

Seating at bars is prohibited

Place hand sanitizer dispensers in multiple locations and encourage employees and customers to wash their hands often

Routinely clean and disinfect all frequently touched surfaces

Employees who are ill must stay home

For more information or to report violations



<http://www.myfloridalicense.com/DBPR/eo-complaints/>

Or call 850-487-1395