

# THE VILLAGE OF FRANKLIN PARK

9500 Belmont Avenue · Franklin Park, Illinois 60131 (847) 671-8245, FAX # (847) 671-8790

## APPLICATION / POLICY FOR OUTDOOR EATING CAFÉ PERMIT ON VILLAGE RIGHT OF WAY Ordinance # 0708VC6

Date Filed: \_\_\_\_\_ Permit # \_\_\_\_\_

(Please Type or Print)

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

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

Health License Number: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Fax : \_\_\_\_\_

Right-of-Way Requested: \_\_\_\_\_

Number of Tables: \_\_\_\_\_ Dates: \_\_\_\_\_ to \_\_\_\_\_

Liquor Approval Requested: Yes \_\_\_\_\_ No \_\_\_\_\_

Liquor License Number (if applicable): \_\_\_\_\_

Insurance: \_\_\_\_\_  
(Carrier) (Expiration Date)

Agent: \_\_\_\_\_ Phone: \_\_\_\_\_

### PLEASE INDICATE BELOW PROCEDURE TO BE USED FOR CLEANING:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the undersigned do hereby state that I have read, understand, and agree to conform to all rules and regulations set forth by the Village of Franklin Park for an Outdoor Eating Café Temporary Use Permit.

\_\_\_\_\_  
Signature of Business Owner Date

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Zoning Administrators signature \_\_\_\_\_ Date \_\_\_\_\_

Director of Inspectional Services signature \_\_\_\_\_ Date \_\_\_\_\_

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## RELEASE AND HOLD HARMLESS

**PURPOSE:**     **Outdoor Seating**

It is hereby acknowledged that \_\_\_\_\_ has applied for and received approval to place seating along the \_\_\_\_\_ right-of-way adjacent to the business. In signing this document, \_\_\_\_\_ acknowledges that the Village of Franklin Park would not allow such a use unless said business acknowledges its voluntary participation and fully recognizes and assumes the existence of risks as exist with operating such a use. \_\_\_\_\_, and its owner hereby covenants and agrees that the Village of Franklin Park, its employees, officers and volunteers shall not be liable for any damages arising from personal injury or damage to property which may be sustained in any way in, on or about the premises where the outdoor seating is located.

\_\_\_\_\_, will assume full responsibility for any such injuries or damages and hereby fully and forever releases and discharges the Village of Franklin Park from any and all claims, demands, damages, rights or actions or causes of action present or future whether the same be known, anticipated or unanticipated resulting from or arising out of the operation of outdoor seating at \_\_\_\_\_. While operating the outdoor seating, \_\_\_\_\_, its employees, volunteers, agents and representatives will adhere to the rules and regulations conveyed to us by the Village of Franklin Park. In the event the actions of the participating organization's employees, volunteers, agents or representatives result in injuries to persons or property and a claim is made against the Village of Franklin Park, \_\_\_\_\_ will hold harmless, defend and indemnify the Village of Franklin Park against any claim, demand, damage, right or action present or future, whether the same be known anticipated, resulting from the use of the outdoor seating.

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

\_\_\_\_\_  
Signature of Authorized Representative of

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

### FOR OFFICE USE ONLY

Hold Harmless \_\_\_\_\_ Method of Cleaning \_\_\_\_\_

Layout of Area \_\_\_\_\_ Liquor Comm. Approval (date) \_\_\_\_\_

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In order for a request for an outdoor eating café permit to be considered for approval, each year the applicant must submit to the Department of Inspectional Services:

1. A completed Temporary Use Permit/Outdoor Eating Café Application. Café permits will be issued for operation between May 1 and November 1.
2. A Certificate of Insurance in the amount of \$1,000,000 and naming the Village of Franklin Park as an additional insured; **(this document is to be renewed each year the café is in operation).**
3. A signed Hold Harmless Agreement.
4. A diagram of the proposed layout of the café, including sizes of fixtures and their location; **(a layout is to be submitted for approval should it change in any way from the layout originally approved by the Village).**
5. A \$25 application fee and \$100 annual permit fee are required.
6. A formal letter requesting permission and including information such as dates and right-of-way requested is required for first time applicants.

## OTHER REQUIREMENTS:

- At least five (5) feet of public right-of-way is to be provided and maintained at all times for pedestrian traffic;
- Seating for the café is to be restricted to the right-of-way approved by the Village;
- No permanent fixtures are to be installed on the public right-of-way;
- All fixtures are to be removed from the public right-of-way during non-business hours;
- Permission for the sale of alcoholic beverages must be secured from the Liquor Commission prior to issuance of an Outdoor Eating Café Permit if the business intends to sell alcoholic beverages;
- If the outdoor eating café interferes with a public event planned on the public right-of-way, the public event shall take precedence. The Village will endeavor to notify the licensee 30 days in advance of the scheduled event that will require the use of the public right-of-way being used by the licensee;
- Persons issued a permit for an outdoor eating café shall maintain the sidewalk area in a clean and safe condition. The permit holder shall clean said area at the end of each business day, so as not to have any food or drink leftovers remaining. The permit holder shall wash daily the sidewalk area approved by the Village for the outdoor café removing any food or drink residue.
- Periodic inspections and response to complaint will be conducted by the Department of Inspectional Services.
- By signing this Application/Policy the applicant acknowledges that any violation of this Policy will result in the following:

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Sanctions for Violations. Sidewalk Café permits may be suspended, revoked and/or fines imposed if the Permittee is found liable for violating the provisions of this Chapter or any other provisions of the Village Code related to the maintenance or conduct of the Sidewalk Café provided, however, no such permit may be suspended or revoked or a fine imposed without the Permittee having been given a hearing pursuant to the provisions of the Village of Franklin Park Administration Adjudication Ordinance.

