

Temporary Sidewalk Dining Permit Application

City of Winston-Salem
Office of Business Inclusion & Advancement

The application below is to be filled out exclusively for restaurants in the Central Business District wishing to expand their sidewalk dining area during NC Governor Roy Cooper’s Phase II of the COVID-19. There is no application fee or permit fee associated with this Special Sidewalk Dining Permit.

Complete applications and attachments should be e-mailed to:

Ken Millett, Director of Business Inclusion and Advancement
kenm@cityofws.org
336-747-7472

It is valid ONLY for the period between approval and 10 days following the end of Phase II. Ten days following the end of Phase II, all restaurants wishing to use sidewalk dining in the public right-of-way MUST have a valid standard Sidewalk Café Permit per all terms of *City Code of Ordinances Article X, Section 74.*

During the period that this approved permit is valid, sidewalk dining can extend beyond the restaurant’s storefront and into sidewalk areas fronting adjacent properties as long as the restaurant (1) obtains and includes along with this application the written permission from the adjacent property owner(s) and tenant(s), (2) meets all of the city’s insurance and indemnification requirements, and (3) complies with the applicable provisions of the Americans with Disabilities Act and all applicable local, state, and federal laws and regulations.

General Information

Restaurant Name: _____ Phone: _____

Restaurant Address: _____

Hours of Operation: _____ Occupant Load per Cert. of Occupancy: _____

Name of Restaurant *Owner* (if an entity, include the entity name and contact person): _____

Mobile Phone: _____ E-mail: _____

Name of Restaurant *Operator* (if different from Owner): _____

Mobile Phone: _____ E-mail: _____

All businesses receiving a Temporary Sidewalk Dining Permit remain subject to the standard social distancing requirements found in the [NC-DHHS Interim Guidance for Restaurants](#) attached to this application.

Site Plan

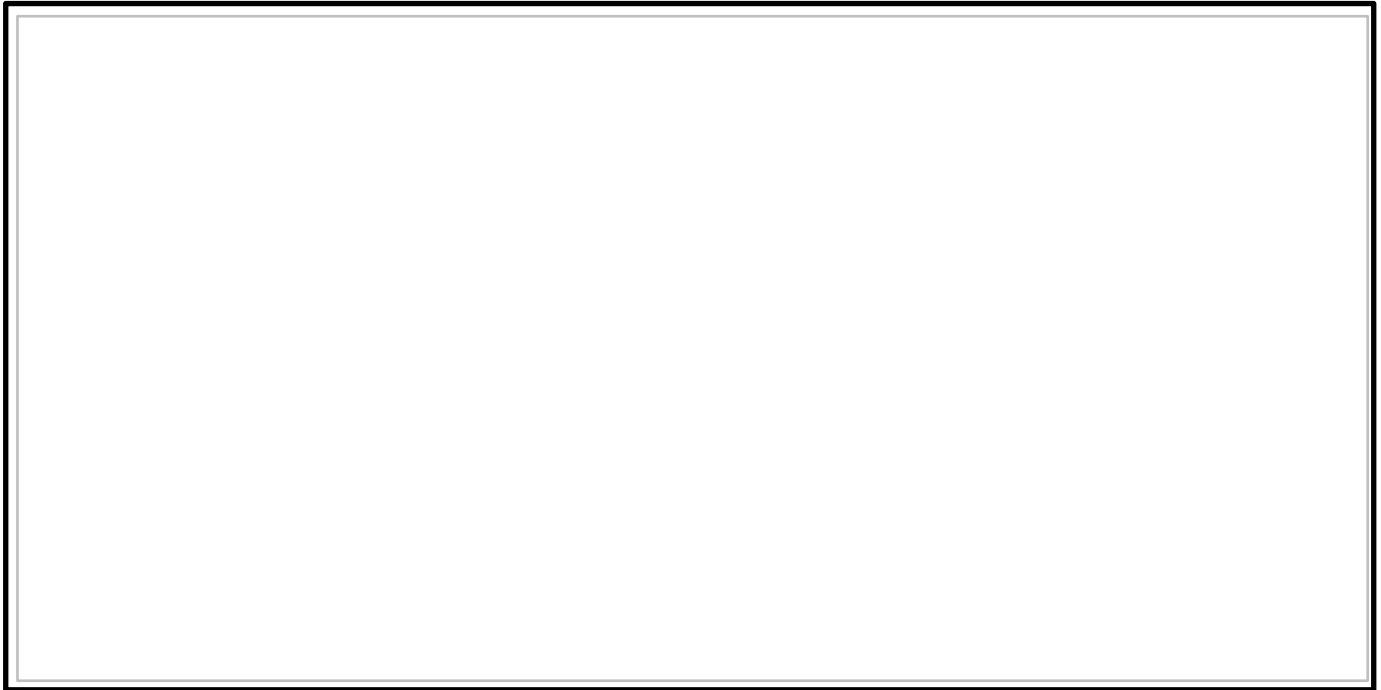
Applicant should attach a site plan or use the space below to show the section of the sidewalk to be used for the sidewalk café and the section to be kept clear for pedestrian use.

*The site plan must include any proposed areas that extends beyond the restaurant’s own storefront into adjacent storefront(s). **If the site plan includes sidewalk in front of adjacent properties, this application must include written permission from the adjacent property owner(s) and tenant(s).***

Provide dimensions and the proposed placement of tables, chairs, barricades, and other furnishings.

Occupant Load for the outdoor dining area shall not exceed 50% of the official indoor posted occupant load.

ADA access (min. of 5’ of unobstructed width) must remain open and free flowing on sidewalks.



Insurance

1. The restaurant owner must complete, sign, and return the attached Insurance Agreement, including the notarized signature.
2. The applicant must attach a Certificate of Liability Insurance showing valid comprehensive general liability **showing the City of Winston-Salem as an additional insured**. If the restaurant serves alcohol, the restaurant must obtain and maintain the appropriate ABC permits to serve alcohol and must list the City as an additional insured on the Liquor Liability policy.

Required limits are described below:

Evidence that the restaurant operator has secured commercial general liability insurance to protect the restaurant against any and all claims, demands expenses, costs and liabilities of any kind or nature directly or indirectly related to any personal injury, including death, and/or property damage to the extent proximately caused by the negligent acts or omissions of the restaurant operator; its employees, officers or agents. The insurance shall also include coverage for liquor liability, explosion, collapse, and underground hazards, where applicable. This insurance shall provide bodily injury limits of not less than \$1,000,000.00 for each occurrence and property damage limits of not less than \$1,000,000.00 for each occurrence. All insurance required under this subsection shall be written with a company licensed to do

business in North Carolina. Such insurance shall name the city as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date except upon 30 days advance written notice to the city. Certificates of insurance for all of the insurance coverages described herein shall be submitted with the application and maintained for the duration of the sidewalk cafe permit, and any renewals thereof.

Agreement

I have read and understand this application, and requirements in full placed upon this applicant, and organization. I understand that if I am granted a temporary permit, I must abide by the provisions therein and indemnify and hold harmless the City, its officers, elected officials, agents, and employees against any and all loss or expense for damages arising out of or in connection with the granting of this permit.

Application Submitted by:

_____	_____	_____
Restaurant Owner Signature	Restaurant Owner (Print)	Date
_____	_____	_____
Restaurant Operator Signature	Restaurant Operator (Print)	Date

Date Received:

Date Approved:

Signature of BIA Director: