



TOWN OF NEW CASTLE

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OUTDOOR BUSINESS AREA PERMIT APPLICATION CHECKLIST

A. SAFETY PLAN REQUIRED

1. Restaurants and food establishments, including food trucks, and other food concessions may open outdoor spaces and seating for customers, provided customers can be seated at tables that are appropriately distanced. No outdoor or take-out/delivery food service operation can occur without meeting the following minimum State standards, as well as applicable federal requirements, including but not limited to such minimum standards of the Americans with Disabilities Act (ADA), Centers for Disease Control and Prevention (CDC), Environmental Protection Agency (EPA), and United States Department of Labor's Occupational Safety and Health Administration (OSHA). New York's Interim Guidance for Outdoor Food Services is available at:
<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/OutdoorTakeoutDeliveryFoodServicesMasterGuidance.pdf>
2. Prior to reopening, all restaurants and food establishments must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. The Safety Plan must be retained on the premises of the business and must be made available to the New York State Department of Health or local health or safety authorities in the event of an inspection.

B. OUTDOOR BUSINESS AREA PERMIT APPLICATION SUBMISSION REQUIREMENTS FOR **USE OF PRIVATE PROPERTY**

1. One Outdoor Business Area Permit Application.
2. A signed Indemnification Form (included in the Outdoor Business Area Permit Application.)
3. A signed Landlord Statement of Permission, if the applicant is a tenant and not the property owner (included in the Outdoor Business Area Permit Application.) All tenants must provide written consent from the landlord agreeing to permit the use of an outdoor area.
4. A drawing showing the following:
 - a. A proposed layout, including any proposed temporary awnings, tents, pergolas, the existing building, points of ingress and egress, proposed location of all tables, chairs,

umbrellas, displays, service stations, registers and any other equipment, furnishing or structure installed in the outdoor business area.

- b. The proposed capacity of outdoor business area.
- c. The applicant's entire property and adjacent properties on a location map and all property lines.

- 5. Approval or authorization from the New York State Liquor Authority to serve alcohol in the outdoor business area, if applicable.

C. OUTDOOR BUSINESS AREA PERMIT APPLICATION SUBMISSION REQUIREMENTS FOR **USE OF PUBLIC PROPERTY**

- 1. One Outdoor Business Area Permit Application.

- 2. A signed Indemnification Form (included in the Outdoor Business Area Permit Application.)

- 3. A drawing showing the following:

- a. A proposed layout, including any proposed temporary awnings, tents, pergolas, the existing building, points of ingress and egress, proposed location of all tables, chairs, umbrellas, displays, service stations, registers and any other equipment, furnishing or structure installed in the outdoor business area.
- b. The proposed capacity of outdoor business area.
- c. The applicant's entire property and adjacent properties on a location map and all property lines.

- 4. A signed License Agreement in the form provided by the Town.

- 5. Insurance certificates for general liability coverage with limits of insurance of not less than \$1,000,000 each occurrence and \$2,000,000 annual aggregate. The Town of New Castle and its agents, officers, volunteers, directors and employees shall be named as additional insureds and included in a waiver of subrogation endorsement.

- 6. A signed Licensee Certification for Temporary Extension of Licensed Premises onto Municipal Property for business intending to serve alcohol. This form is available at: <https://sla.ny.gov/system/files/documents/2020/06/licensee-certification-for-temporary-extension.pdf>