



Permit #: _____
Received on: _____
Fee: \$100.00

DOWNTOWN CHAPEL HILL SIDEWALK DINING APPLICATION, RULES AND REGULATIONS *

CONTACT INFORMATION	
Owner Name:	
Email:	Phone:
Applicant Name (if different from above):	
Email:	Phone:
RESTAURANT INFORMATION	
Restaurant Name:	
Address:	
Proposed hours for sidewalk dining:	
Briefly describe the proposed placement of sidewalk dining tables and chairs:	
OCCUPANCY AND SEATING	
<i>The sum of sidewalk and indoor dining patrons cannot exceed a restaurant's total occupancy at any time.</i>	
What is your current allowed occupancy? _____	What is your current indoor seating count? _____
How many additional patrons do you propose to seat with sidewalk dining? _____	
SIDEWALK DINING REQUIREMENTS	
<p>Sidewalk dining at full capacity must meet the below criteria. Town staff will perform a site visit to confirm that the described placement is possible in the proposed space. Please check each box indicating your understanding and compliance with the following North Carolina State Building Code requirements:</p> <ul style="list-style-type: none"> <input type="checkbox"/> No furnishings shall be placed within 6 feet of any vehicle travel lane (not including parking spaces). <input type="checkbox"/> Sidewalk dining must permit a 5 feet width of clear passage, measured from any permanent or semi-permanent object, for pedestrians on sidewalks <input type="checkbox"/> Furnishings shall not obstruct exits, entrances, driveways, alleyways, hydrant, standpipes, ventilation areas, utility access, or ramps <input type="checkbox"/> Furnishings must be non-combustible and cannot be permanently installed <input type="checkbox"/> Furnishings must not obstruct egress from buildings <input type="checkbox"/> If not already present, lighting (including emergency battery powered illumination) shall be provided for sidewalk dining at not less than 1 footcandle (11 lux) at the walking surface <input type="checkbox"/> Restaurant must provide at least one (1) ADA-compliant table (34" in height, accessible by a wheelchair and identified with a handicapped sticker) <input type="checkbox"/> No furnishings or other objects may obstruct anything that requires periodic access (including, but not limited to, Duke Energy or OWASA meters, cleanouts, grease traps, FDC and key boxes) 	

* This is a temporary application while the Town reconsiders its sidewalk dining ordinance (Chapel Hill Town Ordinance Chapter 17.86, 87 and 88). Only restaurants that want to use the public right of way (ie Downtown sidewalks) are required to comply with the above requirements and application.

OTHER RULES

- NC Alcohol Law Enforcement requirements apply to sidewalk dining. For restaurants that chose to sell alcohol at sidewalk dining tables not attached to their building (ie across sidewalks), applicants must show proof of Town sidewalk dining permit to the ABC Commission to obtain an alcohol sales permit. More information about this process can be found at <http://abc.nc.gov/Legal/LawEnforcement>.
- Sidewalk diners increase the total occupancy of restaurants. The sum of sidewalk dining and indoor dining patrons cannot exceed a restaurant's total occupancy.
- This permit only applies to the serving of food and beverages on sidewalks. Sale of other items must be sought per Sec 17-83 of the Chapel Hill Town Ordinance.
- During large town events, the Town may temporarily suspend sidewalk dining permits to accommodate increased crowds and prevent property damage (Sec 17-88h). Sidewalk dining furnishings **must** be removed during events where the street in front of the applying restaurant is closed unless otherwise indicated by the Town.
- Usable area for sidewalk dining is between the curb and building face occupied by the applicant's business. Use of the area in front of adjacent businesses requires concurrence of adjacent properties.
- For guidelines on outdoor heaters, contact the Fire Marshal at firemarshals@townofchapelhill.org.

APPLICATION CHECKLIST

The following documentation is required to complete your application for a sidewalk dining permit:

- Application and fee
- Pictures (front and both sides) of the area where sidewalk dining is proposed
- Picture of your posted occupancy card
- Description and/or hand drawn picture of proposed chairs, tables and any related barriers with length, width, height and material of each indicated. Websites of specific products are acceptable
- Evidence of general liability insurance policy, which names the Town as an additional insured, with minimum liability coverage of \$100,000 per person bodily injury, \$300,000 per occurrence bodily injury and \$25,000 per person occurrence property damage
- Letters of approval from adjacent property owners if proposed sidewalk dining furnishings extend beyond the area directly in front of the applicant's restaurant

CERTIFICATIONS

The undersigned property owner hereby authorizes this application for sidewalk dining.

Signature of owner:

Date:

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate. The undersigned hereby certifies that he or she has read the Sidewalk Dining Requirements and Other Rules above and will ensure compliance.

Signature of applicant:

Date:

Pursuant to N.C. G.S. 136-27.4, the applicant agrees to indemnify and hold harmless the Town of Chapel Hill and its officers, agents and employees from all loss, liability, claims or expense (including reasonable attorneys' fees) arising from bodily injury, including death or property damage to any person or persons caused in whole or in part by the negligence or willful misconduct of the applicant except to the extent same are caused by the negligence or misconduct of the Town.

Signature of applicant:

Date:

Submission:

Complete applications with documentation should be emailed to permits@townofchapelhill.org. Town staff will review the application and send any requests for clarification to the indicated applicant.