



ZONING & LAND USE APPLICATION

SIDEWALK OUTDOOR SEATING

PROPERTY INFORMATION	
Property Address	
Parcel ID Number	

APPLICANT INFORMATION	
Name	
Business Name	
Address	
Phone	
Email	

OWNER INFORMATION	
Name	
Address	
Phone	
Email	

OUTDOOR SEATING PLAN						
Food & Beverage Service		Food / No Alcohol		Food / With Alcohol		Alcohol Only
Description		Tables		Chairs		Umbrellas
		Trash & Recycle		Fencing Type:		
Building Dimensions	ft	ft	Building Front Feet	lineal ft		
Seating Area Dimensions	ft	ft	Seating Area Sq Feet	sf		
Pedestrian Space	ft	<i>Must maintain 5 foot pedestrian aisle outside seating area.</i>				
Total Occupancy						
Operation Hours						

ACKNOWLEDGEMENT

APPLICANT STATEMENT

This application should be processed in my name, and I am the party whom the City of Rogers should contact about this application. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

Applicant Signature

Date

OWNER STATEMENT

I am the owner of the above described property and I agree to this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the City of Rogers by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other city approvals that have been granted to me for any matter. (If the owner is a corporation or partnership, a resolution authorizing this action on behalf of the board or partnership must be attached.)

Applicant Signature

Date

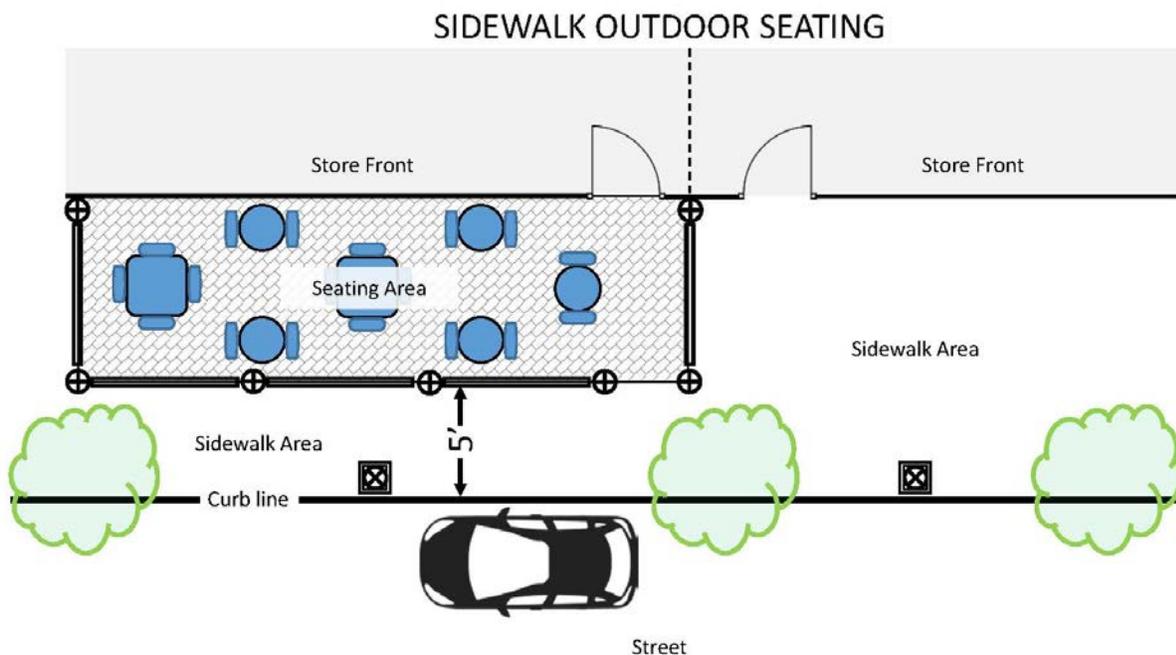
SUBMITTAL REQUIREMENTS	
Application	Completed and signed Outdoor Seating application.
Use Agreement	Completed and signed Use Agreement.
Site Plan	The Site Plan must be drawn to scale and with a straight edge. Plan features must depict the following: north arrow; location of outdoor seating to business frontage; dimensions of business frontage; dimensions outdoor seating area; type and location of fencing; site furnishings showing location and number of tables and chairs, umbrellas, etc.; location of waste receptacles; pedestrian spaces; existing improvements, such as hydrants, bus shelters, trees and tree grates, street lights, etc.; and a legend describing site features.
Fencing	A photograph or rendering sketch of a cross-section of the fence area showing height and width of the fence and other features of the fence, such as planting features, etc. <i>All fencing, stanchions or other approved separation barriers must be movable.</i>
Signage Plan	A scaled drawing of all signs to be included, and specific to the outdoor seating area. Signs must conform to City sign standards. <i>Only if applicable to request.</i>
Renderings	Architectural elevations from differing points of view and color renderings of the outdoor seating area.
Other Items	City staff reserve the right to require additional items be submitted for a full review of the application if deemed necessary to consider the request.
Submittal Format	(1) Hardcopy Plans – 11" x 17" Electronic Application & Plans

All documents are public information and may be used in written reports and distributed to the public.

NOTICE TO APPLICANT

All applications are reviewed individually and are evaluated based on their own merit(s). Site Plans are generally approved subject to several conditions, which must be satisfied before permits are issued. Applicants are encouraged to meet with City staff prior to formally submitting their application to discuss the request and concept ideas for outdoor seating. All applications must be submitted a minimum of 30 days before the placement of any furniture on the public sidewalk.

OUTDOOR SEATING CONCEPT





USE AGREEMENT

SIDEWALK OUTDOOR SEATING

SITE INFORMATION	
Name	
Address	

OUTDOOR SEATING CONDITIONS	
Use	Food and beverage service only. No alcohol may be served and/or consumed without proper licensing. Alcoholic beverages must remain inside the seating area.
Cleanliness	Seating area must be kept clean. Trash receptacles must be emptied nightly.
Hours of Operation	Sunday – Thursday until 10:00 p.m. Friday – Saturday until 11 p.m.
Duration	May 1 – October 31
Permit Term	Annual renewal required.
Occupancy	As described on & approved with the application.
Pedestrian Space	Outdoor seating areas must preserve minimum 5 feet for Pedestrian Space outside of outdoor seating area, unless approved by the City.
Insurance	A current Certificate of Liability Insurance indemnifying the City of Rogers must be on file with the City; lapse in coverage may result in loss of outdoor seating.
Temporary Suspension	The City reserves the right to temporarily suspend the use of an outdoor seating area for any reason and for any length of time, including during special events, community events and parades, or other reasons deemed appropriate by the City.

AGREEMENT

I agree to remove the outdoor seating within 30 days after written notice has been given by the City, if the City determines the outdoor seating area is no longer in use, failure to pay any fees related to this permit, the permit has expired or is suspended or revoked resulting from a violation regarding the use, or the City has determined the outdoor seating area has created conflicts with the pedestrian or vehicular traffic.

I agree all site furnishings will remain within the confines of the approved outdoor seating area and that I will comply with all outdoor seating conditions cited herein and on my application. I understand all fencing and site furnishings must be movable, and may be required to be moved or removed by the City at any time, and especially when the seating area is not in use. The responsibility for removing items from the outdoor seating area shall be at my sole expense. Furthermore, I understand that the City reserves the right to, on its own and at my expense, remove any items related to the outdoor seating area, if the City determines removal necessary and/or I fail to respond to notices issued by the City to me. Any equipment, site furnishings or appurtenances removed by the City may be returned to me upon satisfactory resolution of the reason(s) for the removal.

I agree not to use the outdoor seating area for outdoor storage or placement of items for rent or sale or advertisement purposes. If deemed necessary, I agree to reimburse the City for any damage to the sidewalk or other public appurtenances resulting from the use and/or removal of fencing, site furnishings or other items related to the outdoor seating area.

I agree to indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss resulting from injury to or death to persons, damage to property, or any other claims arising out of, resulting from, or in any manner caused by the presence, location, use, operation, installation, maintenance, replacement or removal of the outdoor seating area, or by acts or omissions of the employees or agents of the business in connection with the outdoor seating. I also agree to release the City from any and all claims relating to the outdoor seating area, but not limited to loss of business and/or value of the outdoor seating area when it is ordered removed or when street, sidewalk or utility construction occurs.

Signature

Date