CITY OF OCEAN CITY
OFFICE OF LICENSING
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APPLICATION FOR SIDEWALK CAFÉ LICENSE

Location Address:_____Block:_____Lot: _____

Business Name:_____

Business Owner Name:_____

Business Phone No: (____) _____Emergency Contact (____)_____

Business Email Address: _____

Property Owner Name: _____

Property Owner Phone No.: (_____)_____

CHECKLIST:

- ☐ Written consent of property owner(s) and the first floor business tenant if separate from the property owner.
- ☐ Survey/ Aerial Photo/ Drawing/ Site Plan: marked with dimensions to demonstrate:
  - ☐ Café boundary (demonstrate 6' feet of unobstructed travel width at sidewalk)
  - ☐ Location of proposed sidewalk café items: tables, chairs, umbrellas, etc,
  - ☐ Location of existing adjacent improvements and structures
- ☐ Signed Indemnification/Hold Harmless Agreement (see below)
- ☐ Certificate of Insurance: City of Ocean City "additional insured/ certificate holder"
- ☐ Approved Mercantile License for Food Handling/ Restaurant. ML#_____
- ☐ Fee: $150 payable to City of Ocean City

INDEMNIFICATION AGREEMENT FOR SIDEWALK CAFÉ LICENSE

As further agreement for the City of Ocean City to issue a Sidewalk Café License to the applicant, the applicant agrees that he/she/it will defend and indemnify the City for and against all claims, demands, suits injuries or harm arising out of the applicant's operation of the boardwalk café for which the permit herein is to be issued. In the event that a suit, claim or demand is made against the City arising out of the applicant's operation of the sidewalk café, the applicant shall additionally agree to defend the City and pay all reasonable and necessary counsel fees and costs related to the defense of the claim, demand or suit asserted against the City.

Signature of Applicant:_____Date:_____

5-18.4 General Design Standards.

a. Sidewalk cafes shall be permitted only in conjunction with and adjacent to an existing restaurant. A sidewalk cafe may extend onto the sidewalk in front of an adjacent business with the written consent of the property owner and the first floor business tenant if separate from the property owner.

b. *Fixtures.* No furniture, apparatus, decoration or appurtenance used in connection with the operation of the sidewalk cafe shall be located in such a way that less than six (6') feet of paved sidewalk remains for the exclusive use of pedestrians, nor shall any such furniture, apparatus, decoration or appurtenance project or protrude into, on or above the required pedestrian passageway.

c. *Signage.* No signs are permitted on the sidewalk cafe except that the name and type of establishment may appear on umbrellas or the valance of an awning.

d. *Lighting.* Adequate lighting shall be provided for the sidewalk cafe area to promote safe passage of pedestrians and cafe patrons. It is anticipated that adequate lighting can be accomplished by candles or battery operated lights placed on tables, umbrellas or displays in the sidewalk cafe. No additional lighting shall be placed upon an adjacent building advertising the existence or location of the sidewalk cafe.

e. *Awnings and/or Umbrellas.* Awnings and/or umbrellas may be used in conjunction with a sidewalk cafe. Awnings shall be adequately secured and retractable. At no point shall the height of the awning including the valance be less than seven (7') feet from the adjacent grade elevation and more than fifteen (15') feet in height.

f. *Heaters.* Portable propane heaters shall be allowed within the cafe area with permits as required by municipal and State fire codes.

g. *Pedestrian Passageway.* Each sidewalk cafe shall directly abut the restaurant so patrons and servers do not cross the flow of sidewalk pedestrian traffic. In no case can access be blocked to Fire Department connections or exits from the adjacent buildings.

h. *Cafe Boundary.* No portion of a sidewalk cafe, such as gates or any objects placed within a sidewalk cafe, shall swing or project beyond the designated exterior perimeter of the sidewalk cafe.

i. *Planters and Landscaping.* All planters must be able to be removed within a twenty-four (24) hour notice period. No solid walls will be permitted. Plants shall be properly maintained and stressed and dying plants shall be promptly replaced. Permanent landscaping shall be trees as called for as part of the standards of the Special Improvement District.