

Date:

COVID-19 Permit #



**COVID-19 TEMPORARY OUTDOOR DINING
Permit Application
NO Fee is required**

As per Resolution _____ and in accordance with **P. L. 2021, Chapter 15** and the Governor's Executive Orders as amended, the following Sections shall be completed by the applicant and approved by Borough of New Milford prior to all temporary outdoor dining.

I. Property Information:

Business Name:		
Address:		
Block:	Lot:	Zone:

II. Property Owner Information:

Name:	
Address:	
Telephone (H):	Cell:
Owner's Consent Signature:	

III. Applicant Information:

Name:	Email:
Address:	Cell:

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V. Checklist for Permit Application:

<p>1. Begin and End Date of Outdoor Dining</p>	
<p>2. Hours of Operation (NOTE: ALL OPERATION MUST CEASE AT 10:00 P.M.)</p>	
<p>3. Applicant has obtained a COVID-19 Expansion Permit to allow licenses to expand the sale and service of alcoholic beverages onto areas adjacent to or contiguous with the licensed premises. A copy of the Expansion Permit shall be attached to this application if applicable.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No Permit No: _____ <input type="checkbox"/> N/A</p>
<p>4. The following items must be submitted with this application (If to be located within a parking lot or on private property or public sidewalk):</p> <ul style="list-style-type: none"> A. Plan, sketch, picture, or drawing that depicts the design, dimensional boundaries, and placement of tents, canopies, umbrellas, tables, chairs, and other fixtures of the outdoor spaces with measurements showing location, size and number of tables and seating area and parking area. B. If applicable, temporary lighting plan. C. Plan for the control of litter, the removal and storage of garbage, and the cleaning of fixtures and grounds. D. Written consent of the owner of the premises, if other than the applicant, E. Insurance as described herein shall be in force during the entire duration of this permit. Evidence shall be provided in the form of a certificate of insurance which names the Borough of New Milford as Additional Insured; the coverage must be stated as primary and non-contributory and confirm outdoor dining as a covered peril. Coverage shall exist as follows: Commercial General Liability and Worker’s Compensation with a minimum limit of \$1,000,000. Liquor Liability that has the same requirements where applicable. Also required, a statement of indemnification and agreement, holding the Borough of New Milford harmless from any claim arising from your restaurant operation. Any restaurant, or bar operating pursuant to this section shall follow, maintain, and enforce protocols promulgated by the Commissioner of Health or Executive Order of the Governor in response to the COVID-19 public health emergency, concerning social distancing and use of personal protective equipment during the period those protocols are in effect. F. If a business premises' parking lot is used for the service and sale of either food or beverages, or both, including, but not limited to, alcoholic beverages if so licensed, the restaurant or bar shall not encumber more than 75 percent of the lot's total parking spaces for such service and sale, unless the parking lot contains less than eight parking spaces, and shall maintain at least one handicapped parking space in the parking lot. G. If to be located within a parking lot or on private property, temporary public safety plan. H. Layout of outdoor seating arrangements with measurements showing the following: <ul style="list-style-type: none"> 1. Adequate access for emergency response personnel must be allowed to the main entrance of the serving establishment from the outdoor serving area. 2. A clear area with a minimum width of four (4') feet shall be maintained for passage of pedestrians using any public sidewalk or right-of-way. 3. Depiction of all aisles, seating areas and means of ingress and egress. 4. Detail of a formal space delineation, such as a removable fence, shall be provided and used during business hours to define sidewalk space from outdoor dining area. Where outdoor dining is proposed to be located directly adjacent to parking spaces which provide for head-on parking or parking angled towards the proposed outdoor dining area, protective bollards or barriers shall be required. <p>5. No outdoor music permitted.</p>	

Specific COVID-19 Operation Conditions of this permit

By submitting its certification below, the applicant acknowledges the following:

1. Applicant has received the **P. L. 2021, Chapter 15** and the Governor’s Executive Orders as amended from the NJ Department of Health and New Milford Board of Health Guidelines for Temporary Outdoor Dining Areas;
2. In addition to all the requirements of applicable law for retail dining establishments, the applicant has the legal obligation to comply with all applicable directives required by **P. L. 2021, Chapter 15** and the Governor’s Executive Orders as amended as a condition of its receipt of this permit to operate outdoor dining services;
3. Applicant understands and accepts the fact that its failure to fully comply with all of the requirements of **P. L. 2021, Chapter 15** and the Governor’s Executive Orders as amended shall result in the Borough’s summarily revoking or suspending this permit;
4. Applicant’s failure to comply with each and every aspect of the approved/permitted plan for outdoor dining, as well as Borough Ordinances, shall subject the applicant to the Borough’s revocation or suspension of this permit.
5. **The Borough of New Milford reserves the right to revoke any permit issued at any time in accordance with P. L. 2021, Chapter 15 and the Governor’s Executive Orders as amended.**

CERTIFICATION:

I certify that I have personally examined and am familiar with all of the information contained in this permit application including any attachments. I further certify that if any of the information or statements that I have supplied are willfully false, inaccurate, or incomplete that I am subject to punishment.

INDEMNIFICATION:

The Applicant agrees that it will defend, indemnify and save harmless the Borough of New Milford, its officers, agents and employees from any and all liability, suits, actions, and demands and all damages, costs or fee on account of any and all injuries to persons or property, including accidental death, arising out of or in connection with, or by reason of the operations under this agreement.

Signature of Applicant

Date

FOR OFFICIAL USE ONLY		
Department Review	Approvals	Comments
_____ Borough Zoning Officer Date	<input type="checkbox"/> Yes <input type="checkbox"/> No	