



# CITY OF VENICE FLORIDA

## Application for

### Open Air Café/Display Permit Or Other Use Of Public Property

This is an application to obtain the City's permission to use public property in accordance with the City of Venice Code of Ordinances, Chapter 62, Article V. Public Right-of-Way and Property Permits. There is an application fee of \$25.00 which shall accompany the application. **This permit is non-transferable.**

*It is the City's desire to maintain a "European Community" style atmosphere in certain areas of the city and also desires to promote an environment that encourages pedestrian traffic and assists the normal activities of a business, while assuring that we do not create a public health or safety hazard or any type of public nuisance. Your application will be considered on the basis of how your plans will enhance this atmosphere.*

*The actual area that will be approved for your business will be subject to the physical characteristics of the City public right-of-way or other public property directly in front of your business. Existing right(s)-of-way uses or other public property on neighboring properties and City right-of-way may also affect your plans. Street corners have special limitations to maximize visibility for pedestrians and motorists.*

*In the event of a declared emergency or in a situation where exigent circumstances arise, the permit holder shall remove all articles from the right-of-way when directed to do so by any law enforcement officer, fire official or other city official.*

**Permit Type** (check one): Open Air Café Permit  Display Permit  Other

**Applicant Information:**

Property Owners Name: \_\_\_\_\_

Applicants Name: \_\_\_\_\_ Business Name: \_\_\_\_\_

Address (physical location of business): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone (work): \_\_\_\_\_ Cell: \_\_\_\_\_ Home: \_\_\_\_\_

**Proposed Public Land Use:**

Detailed description of the proposed use of public lands for which the Permit is sought: \_\_\_\_\_

\_\_\_\_\_

**Site Plan (required for all applications):** Use attached site plan sheet or other to scale site plan drawing.

All site plans must:

- Maintain a minimum 44 inch clear zone for pedestrian traffic **at all times.** This pedestrian clear zone must be shown on the site plan extending from one side of the business to the other providing for a continuous pedestrian clear zone.
- Maintain a 24 inch clear zone from the face of the curb.
- Must show all items / improvements proposed for the public space including tables, chairs, signs (where permitted), waiter stations, potted plants, display racks, portable heaters (may require additional review approval), etc. **NOTE: the use of public space must adhere to the approved site plan at all times.**
- Must show any proposed permanent improvements such as screens, shades, canopies or similar structures. **Note: these structures may require additional building permitting and possible approval from the City's Architectural Review Board (ARB).**
- Shall indicate the adjacent properties and businesses.

Note: Landscape areas or other areas containing trees and the dirt around such areas shall not be disturbed or used in connection with permitted uses, and shall not be designated as the area reserved for pedestrian use.

**Length of Permit Requested (maximum 1 year, renewable):** \_\_\_\_\_

**Hours of Operation:** Business Hours: \_\_\_\_\_

Proposed Use of Public Space Hours: \_\_\_\_\_

**Other Improvements:** The Proposed use of Public Space will have (check all that apply):

Service for Patrons  Signs  Outdoor Entertainment/Music (attached detailed description)

Additional Electrical Service

**Insurance Required:**

The following insurance shall be secured and maintained at all times while the permit is in force:

<u>Coverage</u>	<u>Limit</u>
<b>Commercial General Liability</b>	<b>\$ 1,000,000 combined single limit</b>

The City of Venice shall be named as **“Additional Insured”** on all required policies. Copies of appropriate certificates of insurance should be attached to this application. Termination of the required insurance will immediately void the permit.

The Applicant/Permittee/Indemnitor agrees to indemnify and hold harmless the City of Venice, it’s employees, and elected officials, and to defend the City from all costs, expenses, damages, attorney’s fees, injury or loss, to which the City of Venice may be subjected to by any person, firm, corporation or organization by reason of any wrongdoing, misconduct, want or need of care or skill, negligence or default or breach of contract, error or omission, guaranty or warranty, by the Applicant/Permittee/Indemnitor, his employees, agents, or assigns arising out of the City’s issuance of this permit and/or the Applicant/Permittee/Indemnitor’s use of City property or public right(s)-of-way.

The Applicant/Permittee/Indemnitor agrees to abide by all sections of the Code of Ordinances, Chapter 62, Article V. Public Right-of-Way and Public Property Permits. The City reserves the right to revoke or amend this permit or conditions herein for reasons stated in Code of Ordinances, Chapter 62-126. This application, when signed by the City Manager shall serve as a public right-of-way permit issued under the Code of Ordinances, Chapter 62, Article V Public Right-of-Way and Public Property Permits.

**This Section For Café Permits Only**

Seating (inside): \_\_\_\_\_ Seating (outside): \_\_\_\_\_ \*(increases may affect business tax)  
Inside Floor Area: \_\_\_\_\_ Outside Floor Area: \_\_\_\_\_

**Additional Site Plan Requirements:** In addition to the site plan requirements mentioned above, all site plans for outdoor café’s must show: all tables and seating arrangement and shall endeavor to orient chairs so that their use does not encroach into the pedestrian clear zone at any time. Portable heaters must be shown on the site plan and may require additional permitting / approval from the building and fire department.

**Expansion of Seating Area:** The City may allow the expansion of outdoor café’s to extend in front of an adjacent unit (maximum one unit). Adjacent unit shall be defined as the façade width of the immediate adjacent individual unit / business. Business tax receipts and building permits may be used to help determine ‘adjacent unit’. ***Applications for expansion shall include written approval from all property owners and required insurance shall be inclusive of all areas shown on the proposed site plan.***

**Café’s Must:** satisfy all relevant Building, Fire and Zoning Codes, liquor permit requirements, and health department rules (such as requirements for a certain number of public restrooms, etc.)

**Required Signatures:**

Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Adjacent Property Owner (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_

Applicant / Business Owner \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: Permits may be rescinded for failure to comply with any or all provisions or conditions of the permit or city code at any time.**

**This Area For Official Use Only**

**Department Signature / Comments**

Planning & Zoning \_\_\_\_\_

Police Department \_\_\_\_\_

Fire Department \_\_\_\_\_

Risk & Safety Services \_\_\_\_\_

Public Works Department \_\_\_\_\_

Building \_\_\_\_\_

Total Fees: \$ \_\_\_\_\_ Date Paid: \_\_\_\_\_ Staff Initial: \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*This application, when signed by the City Manager shall serve as a public right-of-way permit issued under the Code of Ordinances, Chapter 62, Article V Public Right-of-Way and Public Property Permits.*