



City of Plymouth Outdoor Dining Permit Application

Permit #

City of Plymouth
201 S. Main
Plymouth, Michigan 48170-1637

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-189

I. Property Owner and Contact Information

| | |
|------------------|---------------------|
| Business Address | Date of Application |
|------------------|---------------------|

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|------------------------|--------------|--------------------------|----------|--|
| Name of Property Owner | Phone Number | Email Address (Required) | | |
| Property Owner Address | City | State | Zip Code | |

II. Applicant and Contact Information

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|--|--------------|--------------------------|-----------------|-------|
| Indicate Who the Applicant Is. If Property Owner, Skip to Section III. | | Business Owner | General Manager | Other |
| Applicant Name | Phone Number | Email Address (Required) | | |
| Applicant Address | City | State | Zip Code | |

III. Outdoor Dining Area

| | | | |
|--|-------------------|--|-----------------------------------|
| Name of Business | | Business Phone Number | |
| Does this business have an existing liquor license? | If yes, MLCC ID#: | Previous Permitted Area and No. of Seats | Proposed Area and Number of Seats |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |

IV. Hours of Operations

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|---|---|
| Are the hours of operation different from the regular business hours? | <input type="checkbox"/> Yes. Please list changes to hours: <input type="checkbox"/> No. |
| Contact/Emergency Number During Hours of Operation | |

V. Attachments – Please include the following items

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| One copy of site plan showing the dimensions of outdoor dining area. Site plan shall also include dimensions to all trees, lights, hydrants, curbs, ramps, doors that open into outdoor area, buildings, and other obstructions. |
| The location and layout of the outdoor dining area in relation to the building and building entrance. |
| The location of security cameras, if applicable, and specifications of security camera system. |
| Certificate of Insurance that specifically states, "The City of Plymouth is named as an additional insured with respect to outdoor seating at (business address)." |

VI. Applicant Signature

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|---|------|
| I certify that I hold the City harmless from any claims arising out of my for-profit use of the public property defined herein. | |
| Signature of Applicant | Date |

City of Plymouth

Sidewalk Café Policy

Revised and adopted by the City Commission on March 19, 2012

Sidewalk café service may be permitted when operated by an existing food and/or beverage establishment, provided the operation complies with the following conditions:

Fees and Permits

1. All proposed sidewalk cafes shall submit an application depicting the location and layout of the café to the building department for approval. Approval of the application shall be subject to compliance with this policy and all applicable building codes.
2. Fees for sidewalk cafes shall consist of an application fee and a fee based on the square footage of area used for the café, fees shall be determined by resolution of the City Commission.
3. Before receiving a Sidewalk Café permit, the applicant shall pay all required fees.
4. Prior to issuance of a sidewalk café permit, the City's finance department shall verify that there are no outstanding fees owed to the City by the person or entity requesting a sidewalk café permit. A sidewalk café permit will not be issued until all outstanding debts to the City of Plymouth are paid in full.
5. Each establishment shall comply with any and all regulations issued by the State of Michigan, County of Wayne, and the City of Plymouth.
6. All café operations shall indemnify and hold the City free, clear, and harmless from any and all claims arising out of the operation of the sidewalk café. The City shall be added as a named insured on the application/operator's general liability insurance policy and provide the City with a copy of the certificate of insurance. The operator shall carry insurance in the amount of \$500,000 per person, per incident, for general and product liability and have umbrella coverage in the amount of \$1,000,000.
7. No additional off-street parking shall be required for outdoor cafes.
8. The maximum number of outdoor dining seats in a patio café will be determined by a formula: The square footage divided by 8.5. For example: If the patio is 200-square-feet, divided by 8.5, the maximum number of seats is 24.
9. The City shall have the right to prohibit the operation of a sidewalk café because of anticipated or actual problems or conflicts in the use of the business. Some problems may arise from, but are not limited to, festivals and similar events, parades, or repairs to the street, sidewalk or utilities within the public right of way. To the maximum extent possible, the café owner will be given prior written notice of any time period during which the operating of the sidewalk café may be impacted.

Construction

1. A minimum of six (6) unobstructed feet of sidewalk width must be maintained to permit the free flow of pedestrian traffic. Clearance of six feet will be measured from any door that opens onto the sidewalk, any tree, light pole, curb or other obstruction.
2. Café facilities shall not extend beyond the curb or in front of adjacent businesses. Provided, café facilities may extend in front of adjacent businesses if written consent is obtained from the affected adjacent property owners.
3. Sidewalk cafés shall not disrupt street or sidewalk drainage or impound water.
4. Decks for sidewalk café establishments shall be permitted with special approval of the City Commission
5. An inspection of all café facilities by the Building Department is required before opening the premises for use.

Operation and Maintenance (Section Revised April 15, 2013)

1. The exterior of the premises shall be kept in a clean, orderly and maintained condition. Sidewalks shall be cleaned daily with water by the Café operator to prevent buildup of dirt and grease. Each establishment with an outdoor café must sweep the frontage sidewalk clear of cigarette butts and garbage during hours of operation and following the closure of the outdoor café for the evening. No remnants of cigarette butts or trash will be visible outside the establishment after closing.
2. The DDA will contract with a power washing company for cleaning of sidewalk cafes of all establishments with an outdoor café, once per month during the café season. The cost for power washing will be divided among the establishments that have an outdoor café on city property, with the bill assessed on a "per square foot" bias. The DDA will contract with the power washing company that has the successful bid to power wash sidewalks throughout

- the entire downtown, generally four times a year. There will not be a charge if the scheduled power washing for all businesses coincides with the scheduled monthly power washing for establishments with an outdoor café.
3. Cafes shall be permitted to operate for the period of April 1 to November 1 only and may be used only during operation hours of the applying establishment.
 4. For liquor serving establishments, security cameras must be mounted on private property to give adequate coverage of the outdoor café. The specifications are attached, and can be changed as technology changes. All cameras must have the approval of the Police Chief before being installed. That includes both the number of cameras needed and the specifications of the cameras to be installed. Each day's video recording must be saved for at least seven days. Upon request, establishments must make video available to the Police Department for investigations within 48 hours of the request. Failure to do so WILL result in immediate suspension of the sidewalk café, AND revocation of the sidewalk café permit for the remainder of the season.
 5. Cafés shall be allowed to continue service until 11:00 pm, Sunday through Wednesday and be closed and clear at 11:30 pm. Cafes shall be allowed to continue service until 12:00am (Midnight) on Thursday, Friday and Saturday and be closed and clear at 12:30am.
 6. All food preparation shall be performed inside the premises.
 7. Cafés shall be permitted to serve alcohol only to patrons who are seated in the establishment's designated café seating area.
 8. Containers for cigarette butts must be made available to patrons outside each establishment with an outdoor café. The containers, free standing or attached to private property, must meet the standards and be approved by the Downtown Development Authority staff. No unauthorized containers, coffee cans or other receptacles are allowed.
 9. Establishments with an outdoor café are only allowed to store and secure the number of seats allowed per establishment, tables and propane heaters each night. At the end of business, tables and chairs can be stacked against the wall, left standing in place or stored inside the establishment. Additional property, not limited to but including chair, tables, cleaning materials, are not allowed to be stored outside during or after café hours.
 10. Each establishment with an outdoor café on city property must have a 36-inch high by 24-inch wide sign attached to the fencing and/or the entrance of the patio café, noticeable to all patrons that reads:
"Local City & State Ordinances for Outdoor Public Seating
1. No smoking in the patio
2. All patrons must be seated in the patio
3. No pets allowed on the inside of the patio
4. All alcohol must be brought across the sidewalk by an (establishment name) employee
City Ordinances Pertaining to Hours of Operation
Sunday-Wednesday
Last call will be at 11 p.m. and all patrons must be inside by 11:30 p.m.
Thursday-Saturday
Last call will be at 12 a.m. and all patrons must be inside by 12:30 a.m."
 11. Outdoor dining areas shall abide by the City's Noise Ordinance.

General Regulations

1. Contracts to permit sidewalk establishments shall not exceed one (1) season, (April 1 to November 1). Temporary contracts for a special event occurring between November 2 and March 31 shall be permitted but may not exceed 14 days, or more than one per year and are subject to the same conditions and fees established for non-temporary permits.
2. Failure to comply with all state, county and municipal laws and this policy shall result in the immediate revocation of the sidewalk café authority to operate by the City Manager.
3. All denials of applications and revocations of said authority to operate may be appealed to the City Commission, whose decision is final. (Note: The use of public right of way is subject solely to the control of the City Commission.)
4. Appeals of revocations shall stay further proceedings and the applicant shall be permitted to continue the outdoor café operation pending a decision by the City Commission. Provided, if a violation poses an immediate danger to the public's health, safety, or general welfare, the City Manager or his designee may order the suspension of all outdoor café operations pending a hearing and the applicant shall cease carrying on such activities pending such hearing.
5. All applicants, prior to being issued a permit to operate a café, shall enter into a written contract whereby the City shall "permit" the operation and the owner/applicant shall acknowledge the conditions and the City's authority to revoke the permit upon failure to comply with any of the conditions set forth herein.

Security System Requirements (Liquor Serving Establishments)

Security System Specifications:

1. 1 terabyte or greater hard drive
 - a. Note: This hard drive sizing will give you the ability to capture more data at a higher resolution and hold that data for a longer duration.
2. "APP" for portable devices
 - a. Note: These apps give the operator the flexibility to view the system remotely from smart phones or other devices.
3. "USB" or "Flash Drive" ports.
 - a. Note: These ports give the operator the ability to transfer and capture data (ie: video) for future viewing.
4. Raid configuration ability:
 - a. Note: This feature gives the operator the option to add more hard drives for redundancy.
5. Remote "IP" address availability:
 - a. Note: This feature gives the operator the ability to view all cameras remotely through an offsite computer.
6. Balun / Cat 5 wiring:
 - a. Note: Using baluns gives the operator the ability to mount a camera anywhere regardless of location of a power source.

Camera Specifications:

1. Outside camera no less than 600 lines of resolution.
 - a. Note: The higher the line resolution the more detailed the field will be. 700 lines are sufficient for lower "HD" quality.

Working Example:

1. 700-1080 resolution.
 - a. Note: When scanning or searching the hard drive for an issue the higher resolution camera will make it easier to identify your target while scanning in fast forward or rewind mode.
2. 3.1 millimeter lens
 - a. Note: This will give you the widest target area while maintaining clarity.
3. Infrared "LED" is at .1 lux.
 - a. Note: This gives you your brightness level at night. The lower the "lux" value the brighter the image.
4. 60-foot Throw
 - a. Note: Throw is target depth. The longer the throw the farther out your target area.

Fee Schedule

Adopted February 19, 2007

Amended March 19, 2012

Amended January 21, 2013

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| Application Fee: | \$250.00 per season |
| Application Fee: | \$100.00 per season non-liquor serving establishments with three or fewer tables |
| Sidewalk Usage Fee: | \$1.50 per square foot per season |