



# TOWN OF PALM BEACH

## Application for Temporary Outdoor Seating and Outdoor Retail Displays

Any restaurant or retail establishment that wishes to establish new or additional outdoor dining areas or displays in order to operate consistent with State of Florida Executive Order No. 20-123, shall email this application and related exhibits to wbergman@townofpalmbeach.com.

**Applicant Information:** Restaurant \_\_\_\_\_ Retail \_\_\_\_\_

Business Name: \_\_\_\_\_ Owner Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

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

Property Owner Name (if different from business owner): \_\_\_\_\_

### Contact Information:

Name: \_\_\_\_\_

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

### Restaurants:

Total Indoor Seats (Pre-COVID): \_\_\_\_\_ Total Indoor Seats at 50% Capacity: \_\_\_\_\_

Total Outdoor Seats (Pre-COVID): \_\_\_\_\_ Total Outdoor Seats (6 feet of separation): \_\_\_\_\_

Number of Additional Outdoor Seats Requested: \_\_\_\_\_

Where will additional seats be located? Public Sidewalk \_\_\_\_ and/or Private Property \_\_\_\_

Describe Property to be used: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### Retail Establishments:

Total Store Capacity (Pre-COVID): \_\_\_\_\_ Total Store Capacity at 50% Capacity: \_\_\_\_\_

**Please attach a site plan to show the outdoor areas proposed for use and location/number of tables, seats and displays, with dimensions indicating spacing distances.**

### Insurance Requirements (Use of Public Spaces Only):

Please attached a Certificate of Insurance naming the Town of Palm Beach as additional insured under your General Liability policy coverage, with limits of liability not less than \$1,000,000 per occurrence. The Certificate of Insurance shall indicate an Occurrence Basis. The Service Provider's General Liability coverage shall be primary and non-contributory.

**Temporary Conditions:**

1. This temporary outdoor use will continue until rescinded by the Town Council.
2. This use may be revoked if the outdoor areas become unsafe or are deemed a nuisance to the community due to excessive complaints.
3. Requests for use of public property shall include a signed hold harmless agreement and a certificate of insurance with coverage described above.
4. Compliance with CDC, FDA and OSHA guidelines are required. See attached.
5. Temporary tables, seating and displays cannot infringe upon ADA access along sidewalks and accessible routes in and out of buildings.
6. Approval for use of private property (not owned by business) is required by signature on this application.
7. Must remain in compliance with minimum parking requirements if using parking lots and net number of seats (indoor and outdoor) may not exceed the total number during normal operations.
8. The use of the outdoor spaces shall be in conformity with all other Town Codes and Ordinances.

**Application Checklist:**

\_\_\_\_\_ Completed Application  
\_\_\_\_\_ Detailed Site Plan  
\_\_\_\_\_ Certificate of Insurance (public properties only)  
\_\_\_\_\_ Refundable Damage Deposit (\$1000 for right of way and \$2500 for park areas)

Signature of Business Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**Hold Harmless Agreement (Use of Public Spaces Only):**

The undersigned as owner of the business located at \_\_\_\_\_, also known as \_\_\_\_\_, in consideration for the Town allowing owner to temporarily use the public space identified herein, hereby agrees to save, defend and hold harmless the Town of Palm Beach, it's officers, employees, agents, representatives and assigns from any and all claims resulting from this agreement and/or owner's use of the public space referenced herein including, but not limited to, personal injury, death, property damage, trespass or any other tort.

Signature of Business Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**Required Approvals:**

Planning, Zoning & Building: \_\_\_\_\_

Public Works (For Public Properties Only): \_\_\_\_\_

Police: \_\_\_\_\_

Fire-Rescue: \_\_\_\_\_

Town Manager's Office: \_\_\_\_\_