



CLOSE TO EVERYTHING,

Unlike Anything™

TEMPORARY USE PERMIT OUTDOOR DINING OPERATIONS 2023

Hours of Outdoor Dining Operations: 6:00 a.m. – 11:00 p.m.

PLEASE PRINT

APPLICANT INFORMATION

Restaurant Owner/Operator Information:

Restaurant Name: _____

Restaurant Address: _____

Phone Number: _____ Cell Phone: _____

E-Mail: _____

Contact Last Name: _____ Contact First Name: _____

Emergency Contact Person _____ Cell Phone _____

Signature of Applicant: _____ Date: _____

Property Owner Information (if different from above):

Property Owner Last Name: _____ First Name: _____

Property Owner Address: _____

City: _____ State: _____ Zip _____

Phone Number: _____ Cell Phone: _____

E-Mail: _____

Emergency Contact Person _____ Cell Phone _____

OPERATION INFORMATION

Requested Property Uses:

Sidewalk ___ Public Parking Lot ___ On-street Parking Spaces ___

Liquor Service: Yes ___ No ___

Live Music/Outdoor Speakers: Yes ___ No ___ **Hours for Music: 9:00 a.m. – 10:00 p.m.**

Awning/Canopy Request: Yes ___ No ___ * Staff will contact you directly to discuss

Requested Dates for Awning/Canopy: (max 180 days per year)

Start _____ End _____

Requested Seating: Please note that outdoor seating capacity cannot exceed the seating capacity of the interior restaurant building under normal operating circumstances.

Interior Restaurant Capacity Under Normal Circumstances: Number of Tables _____

Requested Outdoor Capacity Number of Tables _____

ADDITIONAL REQUIREMENTS

Must be submitted with application. Application will not be considered without the submittal of the following items.

1. **Site Plan** that illustrates the proposed layout subject to review and approval. *With written permission from neighboring businesses, sidewalk seating may extend beyond business frontage during operations subject to City review and approval. Site Plan must include the following:*
 - Inclusion of a 60" pedestrian walk-way on sidewalks which must be maintained (Pedestrian area cannot encroach on non-ADA tree grates)
 - Any changes to ingress/egress of parking lots/spaces if applicable
 - Which parking spaces are being eliminated if applicable
 - Intended layout of café/parklet furniture including tables, chairs, and other design elements
 - Proof of compliance with ADA requirements
2. **Description:** Attach brief narrative description of outdoor dining operations.
3. **Insurance:** Attach evidence of general liability insurance with limits of not less than \$1,000,000 listing the City of Elmhurst as Certificate Holder
4. **Outdoor Dining Standards:** Signed acknowledgement of outdoor dining standards & fine schedule (Exhibit A)
5. **Hold Harmless:** Attach signed Hold Harmless Agreement indemnifying the City of Elmhurst (Exhibit B)
6. **Permissions:** Attach signed letter(s) of permission from property owner and/or neighboring business owners as applicable to your request
7. **Fees:**
 - \$100 - Application fee- sidewalk café and/or parklets
 - \$2500 - Parklets
 - i. Includes two (2) parking spaces, ten (10) jersey barriers and covers, and four (4) planter brackets.

ADDITIONAL OPERATIONAL PROCEDURES

- All Sidewalks and/or Parking Lots must be cleaned at end of service daily
- No Smoking will be allowed in outdoor dining areas

Applications may be emailed to: Eileen Funk at Eileen.funk@elmhurst.org or Michael Brumm at Michael.brumm@elmhurst.org or submitted at City Hall attention Eileen Funk. Applications are subject to review and approval and will be reviewed on a first come first served basis during business hours Monday – Friday



Outdoor Dining Standards

Permitted Types of Dining & Timeframes:

- **Sidewalk Cafés**
 - April 1- November 30
- **Parklet/on-street dining**
 - Weekend of Memorial Day- week following Labor Day (parklets will be removed prior to Rock the Block)
 - Maximum of 2 parking spaces
 - Parklets permitted on York Street from Adelaide north to Second Street only.
 - Must be a full-service restaurant to be applicable for parklet permit

On Public Property:

- **Design & Aesthetic Standards**
 - Jersey Barriers to be covered with city approved and purchased covers
 - No logos or advertising permitted on outdoor dining materials (ex: umbrellas, high boys, planters etc)
 - Signage is not allowed within or around outdoor dining areas, including banners, pennants, flag signs, feather signs, attention getting devices, or any assigns affixed to jersey barriers, aside from the provided cover material
 - All outdoor furniture and décor must be made of weather resistant materials
 - Fencing adhered above or adjacent to jersey barriers to provide additional screening is not permitted
 - All power shall be supplied by the business establishment and not from any City power source; encourage solar or battery powered lights
 - Lighting required to be elevated and, independently installed-not attached to any city structures.

- Lights should be white or yellow in color (warm tones only), no blue tone or cool colors permitted and no flashing, strobing, blinking, or floodlights
- No free-standing tents to be permitted

Awning/Canopy Regulations on Public Property:

- **The City Manager the authority to approve the addition of temporary structures adjacent to a restaurant. The following items will be evaluated for approval in accordance with City Code standards.**
 - Review sidewalk width to verify structure placement will meet accessibility requirements.
 - Review materials comprising the tent/canopy for durability and safety, including related to fire hazards.
 - Verify dates of structure use
 - Review Location of the structure.
 - Review any additional ADA compliance.
 - Review means of heating structure if applicable.
 - Review accessibility of City equipment for snow removal, maintenance, etc.
 - Limited to 180 days per calendar year
- **No free-standing tents to be permitted**

Enforcement and Fines:

- Sidewalks are cleaned every other week. Restaurants are responsible for removing sidewalk café furniture and décor from the sidewalk space to allow for timely cleaning. Failure to do so will result in fines.
- ADA Walkways are to be kept clear at all times. ADA walkway encroachment will result in a fine.
- Fine Schedule: Code Enforcement will be issuing 1 warning for any violations of ADA walkway encroachment or the failure to remove any sidewalk furniture on cleaning days. Notices regarding sidewalk cleaning dates will be given to the provided email address on the application. After one warning, a \$50 citation will be issued to the business. A \$50 citation may be issued for every day a violation is present. If violations persist, then the sidewalk café permit may be revoked

**I have read and understand the above standards for outdoor dining. By signing below,
I am acknowledging intent to comply with these standards.**

Signature

Date



CITY OF ELMHURST INDEMNITY CLAUSE HOLD HARMLESS AGREEMENT

OUTDOOR BUSINESS OPERATIONS

“To the fullest extent permitted by law, _____ agrees to
Name of Contractor/Vendor/Facility User
defend, pay on behalf of, indemnify, and hold harmless the City of Elmhurst, its elected and appointed officials, its agents, employees, and volunteers and others working on behalf of the City of Elmhurst against any and all claims, demands, suits, or loss, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the City of Elmhurst, its elected and appointed officials, its agents, employees, volunteers or others working on behalf of the City of Elmhurst by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this Agreement.

BY: _____
For the Business Owner

For the City of Elmhurst

Notary

Notary