



Temporary outdoor dining program allows for temporary relocation of up to 50% of approved seating (as per Town CO) to be set up outdoors in sidewalk area or parking lot area. Approval is for seated patrons only.

Number of outdoor seats:

Parking lot or sidewalk area must be able to accommodate whatever seating is proposed, with maintenance of six (6) foot social distancing requirement for restaurant patrons. Removal of any landscaped areas is not permitted for use of outdoor dining.

Parking:

Existing parking relating to restaurant shall not be reduced by more than 50%. At least half of restaurant's existing parking must remain open, and shall not be taken up by outside seating.

Location of Outside Seating: Shall not obstruct existing fire lanes, emergency exits or handicapped parking spaces. Sidewalks shall remain clear and passable for ADA access.

Time of Approval:

Once issued, an outdoor dining permit shall remain in effect for six (6) months.

Fee:

No application fee

Tents:

Tent permits shall be separately reviewed by the Fire Marshal's Office in accordance with existing procedure. The Town Board approval procedure relating to the review of tent permits is hereby waived. Maximum occupancy of tent area as determined by the Fire Marshal shall be posted.

Electrical Work:

Any electrical work for outside seating area must be conducted by licensed electrician. Applicant must present electrical plan and underwriter's certificate if lighting or electrical outlets are proposed. Battery-operated LED lighting for outdoor dining is preferred.

Prohibited Items:

Music/live entertainment is not permitted unless the applicant has prior approval for event from the Town Board.

Use of propane heaters is prohibited, unless approved by the Town of Babylon Fire Marshal.

Standing assembly areas are not permitted.

Outdoor bar areas with standing service is not permitted.

Outside cooking facilities are not permitted.

In the event that the applicant fails to comply with above provisions and requirements, the temporary outdoor dining permit may be subject to immediate revocation.

## **APPLICATION REQUIREMENTS**

### Requirements of outdoor dining permit:

Building permit application stating that the application is seeking approval for temporary outdoor dining

Owner's endorsement (if applicant is not the property owner)

Copy of survey

Copy of existing CO

Copy of existing Public Assembly Permit (from Fire Marshal)

Plan for proposed outside seating showing location of tables. Total outdoor occupancy shall be stated on plan. **Plan may be informal but must provide dimensions for seating area and plan to social distance.**

Temporary bollards, planter boxes, or other means of separating and securing any outside seating areas must be provided. **Physical barrier between parking and any outdoor seating areas is required.** Wooden saw horses and traffic cones are not acceptable. Concrete barriers are preferred. Photos, written description, or spec sheet for the product are acceptable submissions.

Joint Inspection by Building Inspector and Fire Marshal

### Submission of Application:

Applications may be submitted by email to: [outdoordining@townofbabylon.com](mailto:outdoordining@townofbabylon.com)