

CITY OF PRIEST RIVER

P.O. Box 415
552 High Street
Priest River, ID 83856
(208) 448-2123
Fax (208) 448-2232



OUTDOOR DINING ENCROACHMENT PERMIT APPLICATION

1. New Permit
 Renewal with Amended Outdoor Dining Area
 Renewal with No Changes to Outdoor Dining Area
2. Applicant(s): _____
3. Business Name: _____
4. Physical Address: _____
5. Mailing Address: _____
6. Business Phone: _____ Applicant Phone: _____

7. Do you hold a current State of Idaho, Bonner County, and City of Priest River alcohol beverage license? Yes No
8. If yes, do you have a restaurant designation on your State of Idaho alcohol beverage license? Yes No Not Applicable
9. Is anyone under the age of 21 allowed in the area inside your establishment where alcohol is served? Yes No Not Applicable

- Please supply a copy of your current menu.
10. What hours is your full menu available? Start: _____ End: _____
11. What days is your full menu available? _____

I have read the outdoor dining Standards and Conditions of Approval and hereby certify that the above statements and any attached maps and drawings to be a true and accurate description of the proposed dining area. I also agree that the permit, if granted, is issued on the representation made herein and that any permit issued may be revoked without notice on any breach of representation or conditions.

Applicant Signature: _____ Date: _____

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REQUIRED ATTACHMENTS:

- A scaled drawing of the proposed outdoor dining area that includes:
 1. Table sizes and placement, and placement of chairs, trash receptacles, etc.
 2. The proposed location of posts, type of barrier between posts, measurements from posts, and barriers to any obstacles including curbs, trees, benches, etc.
 3. The sidewalk along with its width, curbing location, and any existing light poles, banner poles, planters, and other permanent sidewalk fixtures
 4. The seating area's dimensional setbacks from the building and curbing
- A copy of liability insurance naming the City of Priest River as additional insured as specified in the attached Standards and Conditions of Approval.
- If the applicant is not the owner of the property, a letter from the owner authorizing the proposed outdoor seating area.
- A copy of your current menu
- A signed Right-of-Way Encroachment Permit Application
- A signed Hold Harmless Agreement
- Payment of any applicable fees

FOR OFFICE USE ONLY	
Received by: _____	Date: _____
<input type="checkbox"/> Required Attachments Included	<input type="checkbox"/> Denied
<input type="checkbox"/> Approved	Reason: _____
Police Chief: _____	Police Chief: _____
City Clerk: _____	City Clerk: _____

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STANDARDS AND CONDITIONS OF APPROVAL

DESIGN AND LAYOUT STANDARDS:

1. The outdoor dining area may extend into the public right-of-way to a maximum of eight (8) feet from the property line of the permittee; provided that the outside dining area shall not reduce the open sidewalk width to less than five (5) feet of pedestrian access at any point.
2. Outdoor dining areas may only front the property owned or leased by the permittee; outdoor dining areas may not extend in the right-of-way in front of neighboring properties.
3. The outdoor dining area shall be temporary in that installation shall be in such a manner that posts, chairs, tables, planters, or other equipment can be removed during periods of nonuse. No permanent fixtures are allowed in the public right-of-way.
4. Dining areas must be protected from pedestrian traffic by an approved all-weather material rope or light weight chain barrier, which must be securely attached to each post and the building façade so as to enclose the dining area. The barrier must be attached in a taut manner so as to maintain a rigid perimeter.
5. If alcohol will be served with food in the dining area, a sign, no smaller than nine inches by twelve inches (9"x12") must be posted at a height of five feet (5') at each exit of the dining area, and it must read: "It is unlawful to consume on these premises any alcoholic beverage not purchased here or to remove any open container of alcohol from the sidewalk dining area."
6. All tables and chairs provided in the outdoor dining area shall be constructed primarily of metal, wood, or material of comparable quality, and shall be maintained and kept in good order.
7. Table umbrellas shall not impede sight lines into a retail establishment, pedestrian flow in the outdoor dining area, or pedestrian or vehicular traffic flow outside the outdoor dining area.
8. Any signage pertaining to the outdoor dining area will be in compliance with the City's zoning ordinance.

CONDITIONS OF APPROVAL:

9. Outdoor seating is not allowed for the consumption of alcoholic beverages only. Alcoholic beverages may be served as long as food is being ordered or served at the same time.
10. All outdoor activity must cease at the close of business or 10:00 pm, whichever is earlier.

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11. Permittees must maintain the outdoor dining area and surrounding areas in a clean and sanitary manner, including but not limited to providing and maintaining appropriate trash receptacles within the dining area, sweeping the full sidewalk on a daily basis, and immediately cleaning any spills, food debris, broken glass or other trash which may accumulate on the sidewalk.
12. Permittees must take all necessary steps to prevent patrons and/or employees from encroaching into the required clear passage area, and, if alcohol is served, to prevent patrons from leaving the outdoor dining area with an alcoholic beverage.
13. Permittees must comply with all requests of a duly authorized representative of the City regarding the removal of posts, barriers, street furniture, or glassware in the event the City determines that the use of such creates a public safety hazard.
14. Loud music is prohibited.
15. Smoking within the outdoor dining areas is prohibited.
16. Permittee shall provide proof of a liability policy, acceptable to the City Attorney, naming the City as an additional insured in the amount of \$1,000,000.00 for property damage or bodily or personal injury or death or loss as a result of any one occurrence or accident regardless of the number of persons injured or the number of claimants. The policy must remain in effect for the term of the permit and provide for specific notification to the City in the event that the policy is cancelled.
17. Outdoor Dining Encroachment Permits expire December 31 of each year and must be renewed annually.
18. Outdoor dining areas may be permitted on the sidewalk throughout the year with an approved permit, provided that all outdoor fixtures and furnishings must be stored indoors each night between November 16 and March 31 to allow for snow removal.
19. Permittees must comply with all other local, state, or federal laws, ordinances, and regulations, including but not limited to health rules, laws pertaining to the sale and consumption of alcoholic beverages, and fire code regulations.

DENIAL OR REVOCATION OF PERMITS:

20. The City reserves the right to deny new permits for any reason that would justify revocation of a permit.
21. Violation of any of the above standards or conditions of approval will be grounds for immediate revocation of permit.

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HOLD HARMLESS AGREEMENT

I (we), (APPLICANT) _____,

in consideration for an Outdoor Dining Encroachment Permit located at

(ADDRESS) _____

hereby agree to indemnify, defend, and hold harmless the City of Priest River and its officers, agents and employees, from and against any and all claims, losses, actions, or judgments for damages or injury to persons or property arising out of or in connection with the operation, maintenance, or performance of an Outdoor Dining Encroachment Permit on City property or public right-of-way by

APPLICANT: _____

DOING BUSINESS AS: _____

or his/her agents, employees, or representatives.

Signature

Date

Title