

# City of Fall River

## Outdoor Dining Permit Application

### 2022

**Return completed application, supporting documentation to:**

Fall River Licensing Department  
1 Government Center, Fall River, MA 02722  
Or email to: [licensingboard@fallriverma.org](mailto:licensingboard@fallriverma.org)

Please read the ***Fall River Outdoor Dining Program Regulations and Permit Application Guidelines*** in full before completing this application. For assistance with this application please contact the Fall River Licensing Board at [licensingboard@fallriverma.org](mailto:licensingboard@fallriverma.org) or (508) 324-2530.

#### **Subject Property**

**Address:**

#### **Property Owner Information**

**Name:**

**Mailing Address:**

#### **Applicant/Contact Person Information**

**Name (if different from property owner):**

**Applicant's relationship to the property (check one)**

- a. Property Owner
- b. Business Owner who is tenant at above property
- c. Contract Vendor
- d. Other (describe):

**Mailing address (if different):**

**Telephone:**

**Email:**

## **Restaurant Information**

**Name of restaurant:**

**Corporate name:**

**DBA (Doing Business As) Name:**

**Number of proposed outdoor table tops:**

**Number of proposed outdoor seats:**

**Proposed hours of outdoor table service:**

- |          |        |
|----------|--------|
| a. Days: | Hours: |
| b. Days: | Hours: |
| c. Days: | Hours: |

**Do you plan to serve alcohol in your outdoor seating area?**

- a. Yes (liquor license required)
- b. No

**If yes, what type of liquor license?**

- a. All liquor
- b. Beer and Wine

**Do you wish to provide entertainment (music, TVs, etc.) in your outdoor seating area?**

- a. Yes
- b. No

**What type of outdoor seating are you proposing? (check all that apply)**

- a. Public sidewalk
- b. Public alleyway
- c. On-street parking
- d. Private property
- e. Other (does not fall within the above categories, please describe):

**Select the following elements proposed for your outdoor seating area (check all that apply)**

- a. Propane heater
- b. Electric heater
- c. Tent
- d. Umbrellas or other canopy
- e. Outdoor lighting

**Detailed description of the proposed outdoor seating area, including how and where you plan to store furniture and equipment when not in use:**

**Request for Funding for Outdoor Furniture**

**Approved permit holders are eligible for up to \$2,000 in funds from the City to put towards purchasing furniture for their outdoor seating areas (tables, chairs, umbrellas, planters, etc.) on a first-come, first-served basis, while grant funds last. To request funds, please attach an itemized list of expected furniture expenses, including the name of the business(es) where the items are being purchased from.**

## **Additional Documentation Needed**

The following checklist describes the documentation that is required for all permit applicants, as well as some additional documentation that may be required in certain circumstances. To avoid processing delays, please review this checklist carefully to ensure that you have included all of the necessary documentation with your application. Please include all necessary additional documentation with your application submission.

### **What you MUST provide**

*The following items are required for all Outdoor Dining Permit applicants:*

#### **1. Site Plan Drawing**

Your site plan drawing is a detailed sketch, drawn to scale, of your proposed outdoor seating area. The site plan drawing should be large enough to be legible and accurately show the following:

- Dimensions (length and width) of the proposed outdoor seating area and where it is located in relation to the restaurant.
- Points of access and egress (entrances and exits).
- Dimensions and heights of any proposed structures (e.g. parklet).
- Location, dimensions, and number of tables, seats, steps/ramps, planters, host stand, umbrellas, outdoor lighting elements, doorways, trees, parking meters, bus shelters, benches, trash receptacles, or any other obstructions, either existing or proposed.
- Location and dimensions of accessible tables and accessible route(s).
- Location and type of barrier enclosures (if applicable), and height of barriers.
- Location and description of proposed heating devices.

Please be as detailed as possible. Site plan drawings that are unclear or do not provide enough detail could result in delays in permit approval.

#### **2. Photographs**

Eye-level photos of the proposed location for your outdoor seating area.

#### **3. Trash and Pest Control Management Plan**

A detailed plan for how you will manage trash produced by the outdoor seating area and prevent the attraction of pests, including rodents.

#### **4. Certification of Insurance**

Copy of a current certificate of insurance naming the City of Fall River as additional insured.

#### **5. Application for a Tax Certification Form**

Any person or entity intending to apply for or renew a municipal license or permit must complete this form to obtain a certification that they have complied with Section 14-4 of the Fall River Code of Ordinances. This form is included at the end of this application.

## What you MAY HAVE TO provide

*You may need the following items, depending on the circumstances of your outdoor seating area:*

### ❖ **Hold Harmless Agreement Form**

Required for use of any part of any public way (sidewalk, public parking areas, public alleys, etc.). This form is included at the end of this application.

### ❖ **Alcoholic Beverages License Alteration of Premises Form**

If you have an existing liquor license and wish to serve alcohol in your outdoor seating area, you must submit a request for an Alteration of Premises for your Alcoholic Beverages License. The form can be found here: <https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc>. See the *Outdoor Dining Program Regulations and Permit Application Guidelines* for detailed instructions.

### ❖ **Proof of Consent by Third Parties**

Restaurants with a proposed outdoor seating area in the public way that is partly or fully in front of other properties or on the private property of a third party must submit proof of consent by these other parties.

### ❖ **Fire Department Permit**

If you are planning to use propane heaters in your outdoor dining area, you must submit a separate permit to the Fire Department, which can be found here: <https://www.fallriverma.org/wp-content/uploads/2018/09/Storage-of-Inflammables-Application.pdf>.

### ❖ **Electrical Permit**

If you are planning to do any electrical work related to your outdoor seating area, including running wiring or using electrical heaters, you must submit a separate electrical permit, which can be found here: <https://www.fallriverma.org/wp-content/uploads/2017/08/Electrical-Application-Form-fillable.pdf>.

### ❖ **Building Permit**

If you wish to use a tent or install a structure with a fixed canopy or roof, you must submit a separate building permit application. To request the Building Permit application, please contact the Building Department at [buildings@fallriverma.org](mailto:buildings@fallriverma.org) or (508) 324-2500, or visit the Building Department office at 1 Government Center, Fall River, MA 02722.

### ❖ **Tent Fire Certification**

If using a tent, please provide tent size and location. Tents must be flame retardant and a copy of the Tent Fire Certification must be provided.

### ❖ **Entertainment License**

If you wish to provide entertainment in your outdoor seating area (such as music or televisions), you must contact the Licensing Board at [licensingboard@fallriverma.org](mailto:licensingboard@fallriverma.org) or (508) 324-2530 for information on obtaining an Entertainment License or extending your existing Entertainment License to include outdoor entertainment. The Board will need to know the proposed type, location, and hours of entertainment.

**If this application is approved, I hereby agree to abide by all the relevant City regulations pertaining to the installation of outdoor cafes.**

Signature of restaurant owner(s):

Date:

**By Signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). If approval is granted, I/we understand the approvals are specific to the plans submitted, unless the permit granted states otherwise.**

Signature of applicant:

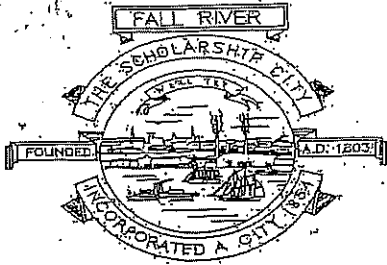
Date:

**If the applicant differs from the owner, this section must also be completed/signed by the property owner/s:**

**I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If the requested permit is granted, I/we understand the approvals are specific to the plans submitted, unless stated otherwise on the permit.**

Signature of restaurant owner(s):

Date:



**CITY OF FALL RIVER COLLECTOR'S OFFICE**  
1 Government Center, Room 212  
Fall River, MA 02722  
(508) 324-2240

**APPLICATION FOR A TAX CERTIFICATION**

Section 14-4 of the Fall River Code of Ordinances provides that the City may deny, revoke or suspend any municipal license or permit held or applied for by a person or entity that has neglected or refused to pay any municipal taxes, assessment, fees or charges or for an activity which will take place in or on a property owned by person or entity who has neglected or refused to pay any municipal taxes, assessment, fees or charges. Any person or entity intending to apply for a municipal license or permit or to renew a municipal license or permit may use this form to obtain a certification that they have complied with Section 14-4.

**APPLICATION INFORMATION**

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Parcel ID #: \_\_\_\_\_

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

Contact Telephone #: \_\_\_\_\_

**LOCATION INFORMATION**

If licensed activity will take place in specific location, please provide:

Name of Owner/Landlord: \_\_\_\_\_

Location Address: \_\_\_\_\_

Location Parcel ID#: \_\_\_\_\_

Are you applying for an inspection certificate in conjunction with the sale of the real estate?  Y  N

**FOR OFFICIAL USE ONLY**

Date Received: \_\_\_\_\_ Certified: \_\_\_\_\_ Denied: \_\_\_\_\_

Dated: \_\_\_\_\_ Reviewed By: \_\_\_\_\_ Denied: \_\_\_\_\_

\* Valid for 30 days unless June, July, August of an Fiscal Year

Ian Schachne City Collector: \_\_\_\_\_ Denied: \_\_\_\_\_

**NOTICE**

Issuance of Certification is not receipt of payment or proof that taxpayer is current with taxes, assessment, fees or charges; rather it is authorization to issue licenses or permits under Section 14-4 of the Fall River Code of Ordinances.



# CITY OF FALL RIVER

## Hold Harmless Agreement For an Outdoor Cafe

In consideration of being issued a permit for the use *of the public right-of-way* (hereinafter referred to as the "*property*" for an outdoor café, the undersigned applicant (hereinafter referred to as the "*permittee*") agrees to indemnify, defend, save, and hold harmless the City of Fall River (hereinafter referred to as the, "*City*") its officers and employees, from any and all claims, lawsuits, damages, and cause of action, which may arise out of the permittee's activity on the outdoor cafe, and for any loss or damage arising out of the use, or the discontinuance of any use.

The undersigned agrees and understands that the use of the property is temporary, on a day to day basis; that the undersigned does not acquire any right, title, or interest in such property, that the undersigned may be required by the City at any time to vacate all or any part of the property that the undersigned has been given permission to use; that upon demand to vacate such property, the undersigned agrees to properly remove any personal property placed thereon by the undersigned and to return the property to the same condition that it was in prior to commencement of such use or to reimburse the City for the cost of removing such property and restoring the property to its prior condition and that

The undersigned further agrees at all times hereafter to comply with all municipal ordinances, rules and regulations of the City of Fall River, Massachusetts

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Name of Business/Restaurant: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Title