



TEMPORARY OUTDOOR DISPLAY AREA PERMIT APPLICATION

(A temporary outdoor display area is an area of less than 550 square feet used for display and sale of merchandise, located outdoors; typically on a sidewalk facing the street or parking lot, which is directly adjacent and accessory to, but not located within the interior building walls of the principal retail establishment, for the purpose of sale, rent, or lease during the hours of operation of the retail establishment, where retail goods and merchandise are removed daily, at the time of or prior to the close of business.)

Application type (check applicable box):

Form with checkboxes for 'New application' and 'Annual Permit Renewal', and a text box for 'Please describe any proposed changes to a previously approved temporary outdoor display area:'

Location (check all that apply):

Form with checkboxes for 'Public or private sidewalk' and 'Public or private parking lot spaces'

Business name: _____

Address: _____ Hours of operation: _____

Table with 4 columns: Applicant, Business Owner (if different from Applicant/Property owner), Property Owner (if different from applicant/business owner), and rows for Name, Address, Email, Phone.

Hold-Harmless Agreement: By signing this application, the Applicant agrees to the following upon the issuance of a permit:

"To the fullest extent permitted by law the Applicant agrees to defend, pay on behalf of, indemnify, and hold harmless the City of Dexter, its elected and appointed officials, employees, agents and volunteers, and others working on behalf of the City of Dexter against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from the City of Dexter, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, for all actions of the Applicant."

As the duly authorized individual, I hereby apply for approval of this temporary outdoor service permit, affirm the above information, and agree that I will comply with the City's Outdoor Service Permit requirements and rules and all other City requirements, ordinances, and other laws which apply to this temporary permit.

Applicant's Signature _____ Date _____

Business Owner Signature _____ Date _____

Property Owner _____ Date _____

Submission checklist:

- Signed Application
Temporary outdoor display area sketch plan
Insurance certificate, listing the city as an additional insured for use of public property.

Permit Application Process:

Application for a Permit is available on the City's website: www.dextermi.gov

All temporary outdoor display areas must comply with the regulations set for in Section 3.28.B.2 of the Zoning Ordinance (provided at the end of this application). This application must be accompanied by the following information:

1. **Sketch Plan:** The sketch plan, a scalable top-view drawing of the temporary outdoor display area, must including the following:
 - a. The location and dimensions of the temporary outdoor display area, including the width of the sidewalk, in relation to the business it will serve, the entrance to the business, adjacent properties (include addresses) and their building entrances, as well the location of existing landscaping, street trees, catch basins, fire hydrants, and other utilities.
 - b. The location and dimensions of all street furniture and furnishings to be used in the display area, including, but not limited to rolling rack, tables, chairs, trash receptacles, benches, sun shading and temporary shelters.
 - c. The location of outdoor lighting fixtures, if proposed, as well as the location of wiring and a description of how the wiring will be secured to prevent trip or electrical hazards.
 - d. Photographs, drawings or manufacturers brochures fully describing the appearance of all proposed merchandise display furnishings and fixtures for the temporary outdoor display area, including but not limited to shelving, tents, canopies, igloos, greenhouses, portable heaters, decorative lighting and other fixtures used during colder weather, shall be included with the application.
 - e. For use of sidewalk, 5 feet (width) of clear, unobstructed pedestrian access must be provided.
 - f. For temporary shelters, such as tents, igloos, bubbles, garden sheds, or similar type from November 1 through April 30, on sidewalks only, the following must be provided:
 - i. the location and dimensions of all temporary shelters within the permitted outdoor service area.
 - ii. a dimensioned interior seating layout of the proposed temporary shelter.
 - iii. the materials of which the shelters are fabricated
 - iv. The type, size and location of portable heating elements, fuel tanks and decorative lighting. Non-electric heating elements are prohibited inside any temporary shelters.
 - v. Non-electric portable heating elements shall be a minimum of 10 feet from the temporary shelter for which it is used, and 10 feet from all other permanent or temporary structures.
 - vi. The power source for portable heating elements and decorative lighting.
 - g. For use of on-street parking spaces:
 - i. Identify the number of spaces to be combined (a minimum of three are required) and include setback dimensions (3 feet from adjacent parking spaces and 2 feet from adjacent auto traffic lanes).
 - ii. Identify the location of water-well barricades (provided by an applicant).
 - iii. The location of the access ramps, platforms, and internal barriers such as planters, stanchions, or railing, if using parking spaces.
 - iv. Any hardware such as fasteners to be used in the construction of ramps and platforms (see specific requirements below).
2. **Acord Certificate of Insurance (for use of public spaces):** If your proposed outdoor service area will be located on public property, including on-street parking, public parking areas and/or public sidewalks, please provide an Acord Certificate of Insurance that meets the following requirements:
 - a. Workers' Compensation Insurance including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
 - b. Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and aggregate for Personal Injury, Bodily Injury, and Property Damage.
 - c. Liquor Liability Insurance (if serving alcohol) on an Occurrence Basis with limits of liability not less than \$1,000,000 per occurrence and aggregate for Personal Injury, Bodily Injury, and Property Damage.

- d. Additional Insured: Commercial General Liability and Liquor Liability Insurance, as described above, shall include an endorsement stating that the City of Dexter shall be named as additional insured. An ISO CG 20 10 or CG 20 26 are preferred forms to provide this coverage. It is understood and agreed by naming the City of Dexter as additional insured, coverage afforded is considered to be primary and any other insurance the City of Dexter may have in effect shall be considered secondary and/or excess.
- e. Cancellation Notice: Policies described above, shall include an endorsement stating that it is understood and agreed that Thirty (30) days, ten (10) days for non-payment of premium, Advance Written Notice of Cancellation or Non-Renewal shall be sent to: City Manager or Construction Project Manager, City of Dexter, 8140 Main Street, Dexter, MI, 48130-1092.
- f. Automatic Renewal Required: If any of the above coverages expire during the term of this agreement, the applicant/permit holder shall deliver renewal certificates and/or policies to City of Dexter at least ten (10) days prior to the expiration date.

To be completed by staff:

	App Fee:	Date Rec'd:	Amt. Pd.:	Receipt No.:
New Application	\$50			
Annual Permit Renewal	\$50			

Staff Review:

Sketch Plan	Acceptable		
	Yes	No	N/A
Sidewalk plan			
On-street Parking Space Plan			
Temporary Shelter Plan			
Administrative approval			

APPROVAL STAMP:	CONDITIONS OF APPROVAL

SECTION 3.28 OUTDOOR DISPLAY AREAS, TEMPORARY

A. Permit Required

1. No person shall operate a temporary outdoor display area without first obtaining a Zoning Compliance Permit.
2. All temporary outdoor display area permits shall expire on December 31st of the current year, unless another time frame is specified in the permit, or by the requirements of this Section, and shall be renewed annually, by administrative review.
3. The application and annual permit fee for operating a temporary outdoor display area shall be established by Resolution of City Council.

B. Application Requirements

1. All applications for a temporary outdoor display area permit or permit renewal shall be filed with the City of Dexter Zoning Administrator on forms provided by the Zoning Administrator, subject to the requirements of Section 22.04(B).
2. All applications for a temporary outdoor display area permit or permit renewal shall include the following:
 - i. A location sketch that identifies the location and dimensions of the temporary outdoor display area, including the width of the sidewalk, as applicable, in relation to the business it will serve, the entrance to the business, adjacent properties (include addresses) and their building entrances, as well the location of existing landscaping, street trees, catch basins, fire hydrants, and other utilities.
 - ii. Photographs, drawings or manufacturers brochures fully describing the appearance of all proposed merchandise display furnishings and fixtures for the temporary outdoor display area, including but not limited to shelving, tents, canopies, igloos, greenhouses, portable heaters, decorative lighting and other fixtures used during colder weather, shall be included with the application.
 - iii. A signed Hold Harmless Agreement as provided by the City.
3. In addition to the documents listed above, permit applications for a temporary outdoor display area proposed in a public right-of-way or on other public property shall be accompanied by a Certificate of Liability Insurance, in an amount acceptable to the City, including workers compensation, and naming the City as an additionally insured.

C. General Regulations

1. For a temporary outdoor display area located on a sidewalk, a minimum of ten feet of sidewalk width must be provided, of which a minimum of five feet must be maintained free of any encumbrances, to allow for unobstructed pedestrian access along the sidewalk, as well as ingress/egress to the principal use for which the temporary outdoor display area is accessory.
2. A temporary outdoor display area shall be kept clean and free of litter at all times.
3. Extended awnings or canopies attached to the building within which the temporary outdoor display area permittees principal use is located may be allowed and shall be complementary with the architecture and color of said building.
4. All temporary outdoor display area furnishings and fixtures shall be of substantial weight so that at no time shall the temporary outdoor display area present an obstruction or risk to public safety, especially during inclement weather.
5. All temporary outdoor display area furnishings and fixtures shall be maintained in a state of good repair. Any temporary outdoor display area furnishings and fixtures having broken, peeling, or rusting features or are showing other signs of disrepair shall be promptly removed and replaced.
6. The City of Dexter reserves the right to deny, revoke or suspend a temporary outdoor display area permit, if the permittee has failed to correct violations of the temporary outdoor display area permit, within the time specified on the violation notice. If the City denies, revokes, or suspends the permit the City will notify the permittee in writing. The decision to deny, revoke, or suspend a permit may be appealed to the City Council. Variances from the temporary outdoor display area standards must be appealed before the Zoning Board of Appeals.