



OUTDOOR DINING PERMIT APPLICATION
\$25.00 Non-refundable Fee

1. Name of Applicant: _____
 - A. Home Address: _____
Phone Number: _____
 - B. Business Address: _____
Phone Number: _____
2. Location of Business: _____
3. Number of outdoor tables requested: _____
4. Number of existing tables: _____
5. Number of outdoor seats requested: _____
6. Number of existing seats requested: _____
7. Submit with this application a survey or engineering drawing of the area to be occupied by the outdoor dining facility. **This is required for NEW facilities or AMENDMENTS to existing facilities.**
8. Submit with this application a non-refundable application fee of \$25.00

I hereby certify that the information contained in this application and in the supporting materials is true to the best of my knowledge and belief. In the operation of the outdoor dining facility, I agree to comply with all requirements of Section 32-9 of the Code of the City of Portsmouth, 1988, as amended.

9. Should your outdoor dining permit involve the following, an encroachment permit will also be necessary: a foundation, awning, fire escape, shutter, sign, cornice, gutter, down-spout, bay window, fence or other appurtenance to a building existing or to be constructed in, upon or over the streets of the city (Section 32-8).

Signature of Applicant

Date



GUIDELINES FOR OUTDOOR DINING PERMIT

- I. Applications for an Outdoor Dining Permit must be filed at the Department of Planning on forms provided by that department.
- II. Each application must include a plat or survey or engineering drawing depicting the area to be occupied by the outdoor dining facility. **(See #7 on the application)**
- III. The following provisions will be applicable to all operators of outdoor dining facilities who have obtained a permit:
 - A. The permit shall be revocable at any time by the City Manager or his designee.
 - B. The permittee and his heirs, successors and assigns shall hold the City harmless from all liability resulting from use of public property as an outdoor dining area, and will defend the City against any suit at the cost of permittee, and will pay any costs resulting from any judgment being obtained against the City.
 - C. The dining area shall be temporary, such that posts, chairs, tables, planters, and other equipment can be removed when not in use. **If the dining area is of a permanent/fixed nature, an *initial* approval must be received by the Downtown Design Committee (DDC).**
 - D. The outdoor dining area may extend into the right-of-way a maximum of five feet from the property line of the permittee, provided that no less than eight feet of sidewalk width remains for pedestrian use. **If the area does not meet these requirements when initially established or when seeking an alteration to an existing facility, an approval must be received by the Downtown Design Committee (DDC).**
 - E. Adequate off-street parking must be provided for any additional tables operated by the restaurant, in accordance with the Zoning Ordinance.
 - F. All signs will be in compliance with the Zoning Ordinance.
 - G. All equipment, tables, chairs, and planters in the outdoor dining area will be maintained by the permittee.
 - H. The permittee is required to obtain any permits required by the Public Health Department, Downtown Design Committee and any other applicable State or Local agencies.

Department of Planning

801 Crawford Street • Portsmouth, VA 23704-3822 • (757) 393-8836 • Fax: (757) 393-5223



Guidelines for Outdoor Dining Permit

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- I.** The permittee shall comply with all applicable codes, ordinances, policies and regulations of the Federal, State, and Local Governments and shall obtain all necessary licenses and permits.
- J.** The permit is not transferable or assignable without written approval of the City Manager or his designee.
- K.** The City Council or its designee may impose other reasonable conditions, such as a reasonable rent for use of public property.
- L.** All outdoor permits are renewable annually. **The permit, when issued, is applicable through December 31st of the current year, only.**
- M.** The permit is issued subject to the provisions contained in Section 32.09 of the Charter of the City of Portsmouth.
- N.** A \$25.00 non-refundable permit fee is required and shall be collected prior to the issuance of the permit.
- O.** Should your outdoor dining permit involve the following, an encroachment permit will also be necessary: a foundation, awning, fire escape, shutter, sign, cornice, gutter, down-spout, bay window, fence or other appurtenance to a building existing or to be constructed in, upon or over the streets of the city (Section 32-8).