

FEE DETERMINATION
 \$200 per parking space per month
 \$200 x _____ x _____ =
Months Parking Spaces

Total Fee



102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
 Phone: 269-857-2603 • Website: www.saugatuckcity.com

OFFICE USE
 _____ Approved
 _____ Denied
 _____ Date

**EXPANDED OUTDOOR DINING AREAS (EODAs) APPLICATION
 APRIL 1ST TO NOVEMBER 30TH**

Fill out in its entirety & return to the Planning and Zoning office with required attachments. Applications will be reviewed by the applicant and the zoning administrator in the zoning office by appointment only. Failure to provide all attachments may result in a delay of processing.

LEGAL BUSINESS NAME: _____ TELEPHONE: _____

MAILING ADDRESS: _____

CONTACT NAME: _____ TELEPHONE: _____

E-MAIL ADDRESS: _____ CELL PHONE: _____

CONTACT INFORMATION OF THE PERSON RESPONSIBLE FOR THE EXPANDED OUTDOOR DINING AREA (EODA)

CONTACT NAME: _____ TELEPHONE: _____

E-MAIL ADDRESS: _____ CELL PHONE: _____

EODA LOCATION: _____ HOURS: _____

MONTHS THE EODA WILL BE IN PLACE (APRIL-NOVEMBER) _____

WILL ALCOHOL BE SERVED: Yes No
 Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)

PARKING LOT CLOSURES: Yes No

Parking Lot Location: _____

APPLICATION CHECK LIST

Completed Application



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- Current photo(s) of the front of your business that includes the curb strip and parking space.
- Two EODA Maps (includes detailed seating layout, trash container, and sanitation station with exact measurements and indication/location of any manhole covers within the EODA site (“Premises”)). The first map should be a bird’s eye view of the outdoor dining area and the second map should be a street view sketch of the EODA.
- Description or photos of proposed barriers, tables, and chairs on Premises
- Certificate of Insurance (listing the City of Saugatuck as additionally insured)
- Michigan Liquor Control Commission License (if applicable) Attached In process
- Health Department Food Service License (if applicable)
- Include a lighting plan with a statement that the EODA be lit 24 hours a day. The EODA shall be lit by both electrical lighting and marked with traffic reflectors.
- Full payment of the EODA fee for this season.

The Applicant understands and agrees, as a condition of its use of the Premises, to:

As a condition of an approved license, Applicant shall indemnify and hold the City and all its officers, officials, agents, and employees free, clear, and harmless from any and all costs, claims, injuries, liabilities, expenses, penalties, or damages (including its attorney fees) sustained in connection with, related to, or arising out of the operation of the EODA. The City shall be added as a named insured on Applicant’s general liability insurance policy and the Applicant must provide the City with a copy of the certificate of insurance. Applicant shall carry insurance in the amount of \$500,000 per person, per incident, for general and product liability and have umbrella coverage in the amount of not less than \$1,000,000.

Applicant shall comply with all City and County Ordinances and applicable State laws, COVID limitations, and City policies. Applicant acknowledges that the EODA license does not relieve the Applicant or organization from meeting any applicable requirements of law or other public bodies or agencies.

Applicant agrees that if the EODA is located in parallel parking spaces, then the EODA furniture/barriers shall not extend more than 8 feet from the face of the curb, and not exceed 40 feet in length. If the EODA is located on an angled parking street (i.e. Water Street), the EODA furniture/barriers shall not extend more than 15 feet from the face of the curb, and not exceed 40 feet in length. Tents or enclosures are **not** allowed in the street



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under this license. All heating equipment must be approved by the Fire Department. The Applicant's use of the Premises is expressly limited to only that area designated on the approved maps, copies of which are attached.

Applicant shall allow access to the Premises to the City's Department of Public Works for any maintenance purpose including without limitation storm drain cleaning, line painting and marking utilities by the associated utility companies.

Outdoor seating areas shall not disrupt street or sidewalk drainage or impound water. Carpeting and ground coverings of any kind are prohibited.

EODAs must be completely removed from the Premise when there is a forecast of plowable snowfall. The City will attempt to notify the Applicant of the forecast, but it is the Applicant's responsibility to monitor the weather.

Applicant understands that the Applicant is required to meet with City staff during the review of this application.

Applicant agrees that Applicant shall, at the end of the term of the license, remove any of the objects placed by Applicant on the Premises. In the event the Applicant elects not to remove the aforesaid objects, the City will notify the Applicant with a two days' prior written notice to remove any of the objects/structures placed by the Applicant on the Premises or else the City will take ownership of the objects. If the Applicant does not remove any of the objects/structures, then ownership of the same shall be with the City which may dispose of such structures or equipment as it, in its sole discretion, deems fit and without any payment to the Applicant.

Applicant shall, at all times, keep the Premises free of debris and in a neat, clean, safe, reasonable and orderly condition, and keep all objects and items located thereon in good and safe maintenance and repair.

Applicant acknowledges that the City shall have the right to terminate this license at any time upon two days' prior written notice to the Applicant for any reason, including but not limited to, the City's need for parking infrastructure, utilities, or other City needs in its sole discretion.

The parties agree that the Applicant takes the Premises "as-is" and in its current condition. The City makes no representations, warranties, or promises regarding the Premises or the ability of the Applicant to use the Premises. Further, the Applicant acknowledges and agrees that use of the Premises by it is deemed permissive and Applicant agrees not to claim any right or assert any cause of action regarding adverse possession, prescriptive easement, acquiescence, or similar legal theory against the City or with regard to the Premises. The Applicant acknowledges that its rights hereunder are secondary to the rights of the City.

Applicant agrees that property taxes, including personal property taxes shall be paid in full before a license will be issued.



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Applicant agrees that it (as well as its contractors, subcontractors, employees, customers and invitees) shall comply with any and all applicable ordinances, codes, laws, and regulations regarding the Premises and any use thereof. Applicant shall not create or permit any nuisance to occur on the Premises.

As the duly authorized agent of the Applicant or sponsoring organization, I hereby apply for approval of this pop-up permit and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge and I assume all resulting liability incurred.

Applicant Signature

Date