

Outdoor Dining Facility License

WHEREAS, Rocktown Development Group, LLC (the “Applicant”), has applied for an outdoor dining facility license to use city property identified as tax map parcel 34-Y-4, located at 48 East Water Street, to construct and use an outdoor patio for the restaurant located at 14 East Water Street in the B-1 business district; and

WHEREAS, said application is complete, the fee has been paid and the application has been reviewed by all necessary city departments;

NOW, THEREFORE, the City Council issues this revocable outdoor dining facility license to Rocktown Development Group, LLC for use of the identified city property for an outdoor patio to be used in conjunction with the restaurant located at 14 East Water Street. This license is conditioned on the licensee complying with all of the terms and conditions of its license application, the regulations and requirements relating to outdoor dining facility licenses that have been or may be adopted by the City Council and any other special conditions required by the City Council which are set forth in this license. The license application (along with all of the supporting documents submitted by the applicant) and the regulations and requirements relating to outdoor dining facility licenses are made a part of this license and incorporated herein by reference. Council grants the license as described in the application and shown on the applicant’s conceptual site plan.

SPECIAL CONDITIONS AND REGULATIONS ASSOCIATED WITH THIS LICENSE:

1. Applicant shall remove motorcycle parking spaces and one vehicular parking space, and shift two handicap accessible parking spaces to the east. Applicant is responsible for all costs associated with these changes, including grinding and marking the parking spaces and accessible route and relocating handicap parking signs. The applicant shall coordinate with Public Works on the marking and signage relocation plan.
2. Applicant shall install bollards along the eastern side of the patio, starting at the parking lot entrance at the southern property line to the northern property line. Bollards shall be the standard bollard in the Building Code, shall be anchored into the ground, shall be installed at intervals of no more than four (4) feet, and shall be located two (2) feet away from the face of the patio.
3. Applicant agrees to install guard railing around the patio to contain patrons on the patio and to direct entry and exit of the patio to designated locations. This guard railing shall be at least 42 inches high and any open guards shall have balusters or ornamental patterns such that a 4 inch diameter sphere cannot pass through any opening.
4. Applicant shall put away or retract any awning covering the installation prior to any predicted snow event.

5. Applicant agrees to and understands that the City shall not be responsible for any snow removal from the patio or from between the bollards.

THIS LICENSE CANNOT BE TRANSFERRED, ASSIGNED OR ASSUMED BY ANY OTHER PERSON, FIRM, LIMITED LIABILITY COMPANY OR CORPORATION.

Approved by City Council and issued this _____ day of _____, 2017.

MAYOR

Attested:

DEPUTY CITY CLERK