



Village of Sag Harbor
Building Department
Thomas Preiato
Senior Building Inspector
55 Main Street, Sag Harbor, NY 11963
(631) 725-0224
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**COVID-19: TEMPORARY OUTDOOR
DINING APPLICATION
NO FEE IS REQUIRED**

**(This permit will become in effect once the
Governor allows restaurants to re-open and shall
expire on November 1, 2020)**

RECEIVED	
PERMIT FEE	Waived
DATE ISSUED	
EXPIRES	
RENEWED	
RENEWAL EXPIRES	

Three (3) copies of this application shall be delivered to the attention of the Senior Building Inspector either by mail, email (PDF) or hand delivered to 55 Main Street, Sag Harbor, NY 11963. **Please contact Tom Preiato at 631-461-1827 with any questions or problems.**

NAME OF BUSINESS: _____

Street Address: _____

SCTM #: _____

Does this business have a Certificate of Occupancy for restaurant/food service use? ___ Yes ___ No

If no, this application for Temporary Outdoor Dining does not apply. If yes:

a. How many seats are currently approved for this establishment? _____

b. How many seats are currently approved for outside seating? _____

c. To comply with Covid-19 requirements, how many seats are proposed: Inside? _____ Outside? _____ (total may not exceed seats in a.)

APPLICANT/CONTRACT VENDEE/LESSEE

Name: _____ **Firm Name:** _____

Street Address: _____

City: _____ **State:** _____ **Zip Code:** _____

E-MAIL: _____ **Phone:** _____

Signature of Applicant/Contract Vendee/Lessee

VILLAGE OF SAG HARBOR
COVID-19: TEMPORARY OUTDOOR DINING APPLICATION

OWNERS CONSENT

Be advised that I am the owner of record of the property referenced herein and consent to this application. As owner, hereby authorize employees or agents of the Village of Sag Harbor, in conjunction with this application, to enter and inspect the project site. I understand that this permit shall expire on November 1, 2020 and that the Village shall retain the right to revoke this permit at any time if deemed necessary.

Name: _____
Address: _____
Phone: _____ **Email:** _____
Signature: _____ **Date:** _____

Signature of Building Inspector upon Approval

I. REQUIRED ITEMS FOR TEMPORARY OUTDOOR DINING APPLICATION

- 1. Submit plan showing location of proposed outdoor seating. Plan can be hand-drawn on an existing survey, site plan or aerial map from Google Maps/Earth, Bing, etc.
- 2. Illustrate location of outdoor seating tables and/or chairs, service/customers aisle and pathway from business to outdoor seating area. COVID-19 seating must be spaced at least 6 feet between patrons (see illustration below as example for proposed outdoor seating plan).
- 3. A site plan showing where the proposed outdoor seating is to be located and indicating the number of seats¹. Show location of hand sanitizing stations and plans to maintain safe distancing for take-out, wait staff and restroom queuing. Provide details regarding locations of canopies and methods of securing same.
- 4. Submit narrative plan indicating how tables, chairs, plates, utensils will be sanitized.
- 5. Insurance certificate naming the Village as an additional insured of for use of public right of way (if use of sidewalk is proposed).
- 6. A copy of signed affirmation form acknowledging that you have read and understand your obligation to operate in accordance with the State reopening guidance (see Page 4 of this application for a link to the NY State website and form).

¹ The total number of temporary outdoor dining seating shall not exceed 50% of the total permitted bar/restaurant occupancy approved by the Fire Marshal or as indicated on the certificate of occupancy.

VILLAGE OF SAG HARBOR
COVID-19: TEMPORARY OUTDOOR DINING APPLICATION

II. ITEMS TO BE CONSIDERED IN REVIEW OF TEMPORARY OUTDOOR DINING APPLICATIONS

- 1. COVID-19 outdoor seating must meet Fire Code standards, including points of egress, access to fire extinguishers, and tent and awning ratings, if applicable. Seating shall not block entrances, exits, fire lanes, hydrants, sprinkler connection points, drive aisles, back-up areas, pedestrian or handicapped access.
- 2. COVID-19 social distancing accommodation areas, shall not be within 250 feet of a single-family residences and **shall only be utilized between the hours of 8:00 AM and 12:00 AM. For areas within 500' of single family homes, evening hours shall be reduced through 10 PM.**
- 3. COVID-19 outdoor seating areas must be maintained and free of trash and other debris and trash receptacles provided.
- 4. Restaurants with must comply with all New York State Liquor Authority permits, approvals and any applicable laws to serve alcohol in the COVID-19 Outdoor Accommodation Area. Nothing herein shall permit outdoor bars.
- 5. Outdoor loudspeakers, exterior live entertainment or dancing shall not be permitted without approval of a Music/Entertainment permit². No generators are permitted.
- 6. If a tent is to be used, a Tent Permit application is required.
- 7. Seating must not reduce sidewalk widths to less than 36". For applications utilizing off street parking lot areas, seating must not occupy or block handicap/ADA parking stalls or access aisles and may not block ADA accessible routes.
- 8. Removal of existing natural areas or required buffers is not permitted. No proposals for permanent structures or any construction that requires a Building Permit will be approved as part of this temporary measure.
- 9. Outdoor use areas must not block fire access lanes.

² Per Chapter 122 of Village Code.

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III. SUFFOLK COUNTY AND NEW YORK STATE REQUIREMENTS

- NY FORWARD SAFETY PLAN.** Each business or entity, including those that have been designated as essential under Empire State Development's Essential Business Guidance, must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. Information is available at the following website:

www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYS_BusinessReopeningSafetyPlanTemplate.pdf

A business may fill out the template to fulfill the requirement or may develop its own Safety Plan. This plan does not need to be submitted to a state agency for approval but must be retained on the premises of the business and must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.

Business owners should refer to the State's industry-specific guidance for more information on how to safely operate. For a list of regions and sectors that are authorized to re-open, as well as detailed guidance for each sector, please visit: forward.ny.gov. If your industry is not included in the posted guidance but your business has been operating as essential, please refer to ESD's Essential Business Guidance and adhere to the guidelines within this Safety Plan. Please continue to regularly check the New York Forward site for guidance that is applicable to your business or certain parts of your business functions.

Use the link below to access the form to affirm that you have read and understand your obligation to operate in accordance with the State's guidance: <https://forms.ny.gov/s3/ny-forward-affirmation>.

A copy of this affirmation must be submitted with the Temporary Outdoor Dining Application

- COVID-19 OUTDOOR SEATING IN FOOD ESTABLISHMENT.** All outdoor seating in food establishments must comply with the May 20, 2020 Suffolk County Department of Health Services Guidance Memorandum (copy attached).

**VILLAGE OF SAG HARBOR
COVID-19: TEMPORARY OUTDOOR DINING APPLICATION**

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

GREGSON H. PIGOTT, MD, MPH
Commissioner

May 20, 2020

GUIDANCE MEMORANDUM

OUTDOOR SEATING IN FOOD ESTABLISHMENTS

The Department of Health Services regulates the number of dining seats in food establishments, the maximum allowable number of which is indicated on a facility's operating permit. Approved indoor seating may be temporarily relocated outside of the establishment without requiring a new application or review of plans, provided the total number of seats indicated on the permit is not increased. The following conditions must also be met:

- No food preparation is permitted in exterior dining areas.
- The facility does not undergo substantial remodeling, or make significant structural changes such as adding building square footage or modifications that affect external water supply/wastewater management infrastructure.
- Relocation of dining seats must be compliant with all state and local codes.
- Relocated exterior seating is subject to all COVID-19 recovery/reopening requirements, such as social distancing and capacity reductions that are issued by the New York State Department of Health or by executive order issued by the Governor.

For further information, please contact Christopher Sortino, Chief of the Bureau of Public Health Protection, at (631) 852-5999.



Public Health
Prevent. Promote. Protect.

BUREAU OF PUBLIC HEALTH PROTECTION
360 Yaphank Avenue, Suite 2A, Yaphank, NY 11980 (631) 852-5999 | FAX (631) 852-5871

**VILLAGE OF SAG HARBOR
ADDENDUM TO THE
COVID-19: TEMPORARY OUTDOOR DINING APPLICATION**

ADDITIONAL GUIDANCE IN PREPARATION OF THE TEMPORARY OUTDOOR DINING APPLICATION

This additional guidance sheet to the Temporary Outdoor Dining Application has been prepared based upon questions received since the application was released, and to incorporate the requirements for outdoor dining contained in the NYS Guidance Memorandum issued on June 3, 2020 and Guidance from the State Liquor Authority (SLA). We are here to help. Thank you for your patience.

- New York State has authorized the “expansion of premises” for restaurants holding liquor licenses (see sla.ny.gov/new-york-state-liquor-authority-guidance-outdoor-expansion-licensed-premises-response-covid-19). The provisions allow a licensee to use contiguous outdoor space for the duration that the guidance remains in effect (currently through July 3, 2020). Certain requirements apply and notice with an updated drawing to the SLA must be submitted within 5 days. For those approvals that involve use of an area owned by others, submission must include a letter from the municipality or other entity indicating authorization of outdoor use of the premises.
- The outdoor seating Plan must contain enough detail to illustrate how the proposed tables, seats, access and other details will comply with the NYS Guidance. If a base map is not to be used, the map must provide details such as the building outline, location of entrances/exits, interior details as needed, dimensions of outdoor area and access path to the outdoor seating area. Use labels and symbols as needed for clarity.
- Plan must note the scale of the drawing & include critical measurements to demonstrate that **all tables with seats** will be separated by at least six feet in all directions from **any other tables, seats, patrons, or pedestrian thoroughfares or corridors**. This includes any doorways and frequently used routes (to serving stations, kitchen, restrooms).
- Where safe distancing is not feasible between tables (and thoroughfares), physical barriers may be used. The physical barriers must be at least five feet in height and must not block emergency and/or fire exits.
- The issuance of a temporary approval will follow an inspection of the actual layout of tables/chairs in place or, if furniture is not available at the time, the applicant may illustrate the table/seating using tape. (Note that this does not apply for new proposals for sidewalk dining).
- The temporary outdoor seating will be subject to inspections throughout the season and may occur at any time when the restaurant is serving.
- Bar seating where authorized, may occur provided a distance of at least six feet between parties can be maintained and staff may keep a distance of at least six feet from one another and customers when possible.
- Restaurants may plan for larger parties with moveable tables, as long as the six feet distance in all directions is maintained (with a maximum of 10 individuals per table).
- Applications which are complete and contain detailed plans which clearly demonstrate conformance with the State Guidance will help us to help you through this application process. The Village Planner and Building Department will expedite review of applications to the extent possible to allow restaurants that can safely accommodate outdoor dining as soon as possible.