

Steven T. Noble
Mayor

Stephan Knox
Director

CITY OF KINGSTON
Building Safety & Zoning Enforcement

5 Garraghan Drive
Kingston, NY 12401
Phone (845) 331-1217
Fax (845) 331-1224



RE: Sidewalk Cafes/Outdoor Seating

Dear Restaurant and Property Owners,

The Common Council passed a resolution on April 6, 2022, adopting updated language in Section 346 of the City Code which requires a license to operate outdoor dining in and adjacent to City streets and sidewalks. Outdoor seating in these areas may not be installed or utilized prior to approval. The adopted language and application for licensure are included with this letter.

Following Building Safety and Zoning Enforcement approval and issuance of license, applicants may erect their sidewalk cafe area. Yearly set up can be no earlier than the 3rd Saturday of April and all cafe's must be removed from street no later than the Friday before Thanksgiving. Sidewalk cafe licenses are good for two years from the date issued.

Completed applications shall be submitted to Building Safety and Zoning Enforcement at least 30 days before your intended opening. Should you have any questions, please contact this office.

Stephan Knox, Director

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City of Kingston Sidewalk Café Permit Application

The following items must be submitted with this application:

- Non-refundable application fee of \$150.00. If approved, \$250 license fee is also required.
- Signed and Notarized Acknowledgement.
- Signed and Notarized Agreement to Indemnify and Hold Harmless.
- Copy of New York State Liquor License, if you plan to serve alcohol.
- Scaled site plan of sidewalk café layout to include; number of proposed tables, linear square footage of proposed outdoor café, design and location of all temporary structures such as awnings, planters, landscaping, tables, chairs, umbrellas, wheel stops, barriers and other equipment. Location and distances from street corners and all permanent fixtures such as street signs, trees, fire hydrants, etc. Lighting and electrical outlet locations must also be noted. Americans with Disabilities Act (ADA) guidelines must be complied with.
- Detailed drawings of any structural components including but not limited to; platforms, temporary or seasonal awnings or covers, etc. Any roof structure must be designed and stamped by a New York State Licensed Design Professional, plans must be submitted with application. Design must provide detail of uplift resistance.
- Certificate of insurance demonstrating a satisfactory amount of public liability, property and workers' compensation insurance as set forth in Schedule A and naming the City as coinsured. Schedule A is on file in the City Clerk's office.
- Written consent from the property owner if operating in a rental space.
- Written consent of neighboring property owner(s) and tenant(s) if outdoor dining area extends onto a neighboring property.

Please complete the following pages.

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Restaurant Name:

Restaurant Owner:

Address:

Phone: _____ **Email:** _____

Property Owner:

Address:

Phone (cell): _____ **Email:** _____

Manager/Contact:

Phone (cell): _____ **Email:** _____

Sidewalk Café Hours of Operation:

(Outdoor seating shall close operation by 10:00pm)

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Acknowledgement

I, _____, hereby apply for a permit from the City of Kingston to operate and manage a sidewalk café/outdoor seating at _____.

I certify that I have received a copy of Chapter 346 of the City Code and have reviewed said regulations governing the operation of sidewalk cafés and outdoor seating in the City of Kingston, New York. I hereby agree to fully comply with all of the rules and regulations set forth. I understand that the sidewalk café/outdoor seating permit may be revoked at any time if I fail to abide by the parameters of the adopted legislation.

Signature of Applicant: _____

Print Name of Applicant: _____

Date: _____

Agreement to Indemnify and Hold Harmless

I, _____, hereby agree to indemnify and hold harmless the City of Kingston, its officers and employees against any loss or liability or damage, including expenses and costs for bodily injury, and for property damage sustained by any person as a result of my operation of a sidewalk café/outdoor seating.

Signature of Applicant: _____

Name of Applicant: _____

Date: _____

Sworn to me this _____ day of _____, 20____.

Notary Public

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The following is required if the operator is not the land owner.

As owner of the property located at _____, Kingston, New York 12401, I hereby authorize _____ (Restaurant Name) to operate a sidewalk café/outdoor seating area and understand fully the rules and regulations set forth by the City of Kingston.

Signature of Property Owner: _____

Print Name of Property Owner: _____

Date: _____

If operator is proposing to extend sidewalk café/outdoor seating area onto neighboring property, written consent from each affected neighboring property owner and commercial tenant must be submitted with this application.

Please submit application and all supporting documents, with original signatures, to Kingston Building Safety and Zoning Enforcement located at 5 Garraghan Drive, Kingston, New York 12401.

Office Use Only:

Date Application Received: _____

Approval Date: _____

Payment Received: _____

Denial Date: _____

Insurance Received/Filed: _____

Reason for Denial: _____

Liquor License Provided: _____

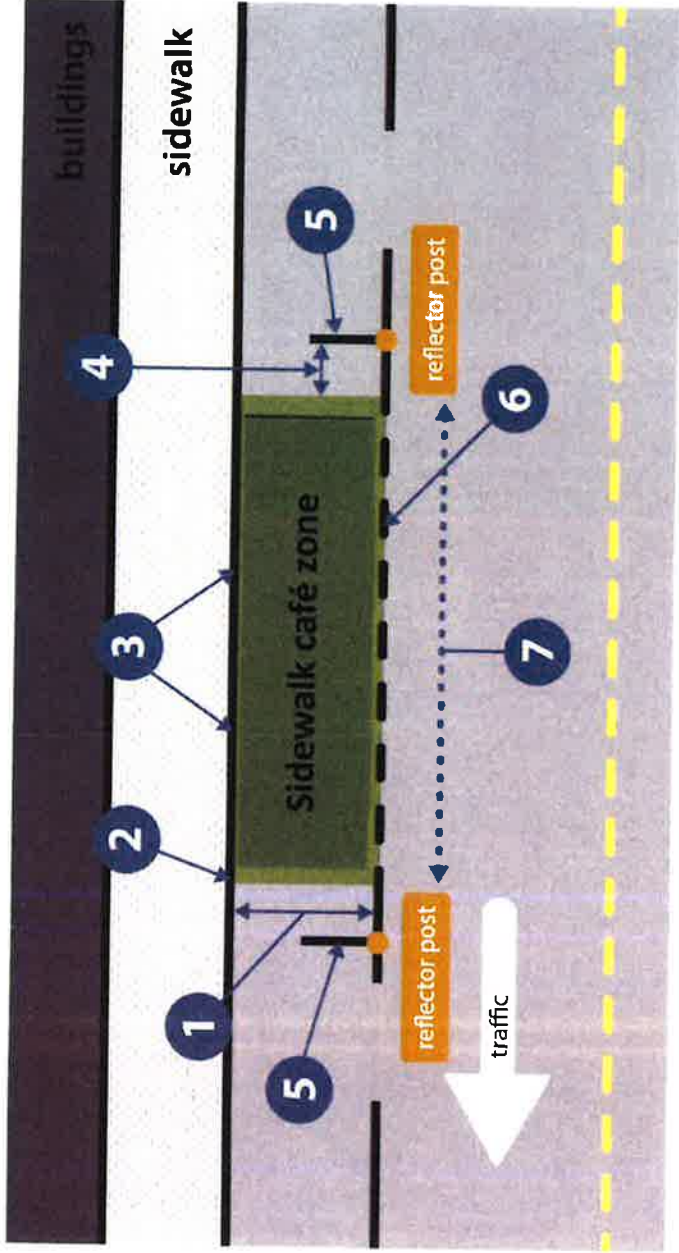
Decision By: _____

Site Plan Provided: _____

Site Visit Date: _____

Observations/Concerns: _____

Design and placement guidelines for sidewalk café/outdoor seating



1. Max of 7' width.
2. Maintain curb drainage.
3. Decking installed flush with curb.
4. Wheel stops must be 2' distance from seating structure.
5. Min. 3' long wheel stops installed at each end of seating structure.
6. Max. railing height 3' above platform, must allow air to pass through, and must withstand 200 pounds of pressure.
7. Flexible reflector post installed at outside corners of sidewalk café zone



Keep sidewalk café structures away from all street signs

Must be placed a min. of 25' from street corners



Must not be installed within 15' of a fire hydrant



Clearance of at least 1' from trees, branches, and plant beds