



**TOWN OF AYER
APPLICATION
APPROVAL FOR EXTENDED USE OF PROPERTY FOR
OUTDOOR SEATING
COVID-19 EMERGENCY MEASURES**

Name of Business: _____ **Address:** _____

Owner Name: _____

Owner Phone: _____ **Owner Email:** _____

Manager Name: _____

Owner Phone: _____ **Owner Email:** _____

Intended Use

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Dining: Outdoor food services without alcohol

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Dining: Outdoor food services with alcohol

Add Additional Pages as Necessary

Is a temporary tent or similar structure proposed?

☐

Yes

☐

No

If Yes, describe tent or structure:

Expected days of week and hours of outdoor operation:

Daily maintenance and cleaning plan:

Plan for securing fixtures during evening and closed hours:

By signing here, I acknowledge I am in receipt of Town of Ayer's Rules and Regulations for Outdoor Seating and will comply with the Massachusetts Safety Standards for Restaurants:

Owner Signature: _____ Landlord signature: _____

Name (printed): _____ Name (printed): _____

Date: _____ Date: _____

Required Attachments:

- Area Plan: Provide a neatly drawn schematic depicting the precise area of the proposed outdoor seating or retail area, the arrangement of outdoor furniture, perimeter fencing, café umbrellas, outdoor heaters, and any other equipment. Areas designated for pick-up of takeout food or retail products shall also be shown. Table sets (tables including their chairs) shall be separated by at least six feet when patrons are seated. Take-out food pickup shall be a minimum of six feet from patron seating.
- Property Control: The applicant shall demonstrate a legal right of access to use the proposed outdoor space, either through ownership, lease or written permission of the owner. Outdoor seating may be allowed on public sidewalks, within the Town's public right of way or on any other Town-owned property, only if approved, in writing and in accordance with the terms of a license to use public property.
- Insurance: The Applicant shall provide a Certificate of Insurance meeting the requirements set forth in the Rules and Regulations for Outdoor Retail and Seating.
- Permits and Approvals: If the Applicant intends to erect any tents or structures, the applicant shall consult with the Building Department and comply with permit requirements, if any, before they are erected.
- Acknowledgments of Rules and Regulations: The Applicant shall acknowledge receipt of the Rules and Regulations for Outdoor Seating and its intent to be bound by and comply with all such Rules and Regulations. (See Above)

The Applicant/Operator agrees to indemnify, defend, and hold the Town harmless from and against any and all claims, demands, liabilities, actions, causes of action, defenses, proceedings and/or costs and expenses, including attorney's fees, brought against the Town, its agents, departments, officials, employees, insurers and/or successors, by any third party arising from or relating to the use of the facility for outdoor seating.

I HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE AND THAT I AM DULY AUTHORIZED TO ENTER INTO BINDING AGREEMENTS ON BEHALF OF THE APPLICANT.

Owner Signature: _____ Landlord signature: _____

(If different from Business owner)

Name (printed): _____ Name (printed): _____

Date: _____ Date: _____

APPROVAL BY:

Robert Pontbriand
Town Manager

Date

For Internal Use Only - Town Internal Routing, with approval received as necessary:

<i>Health Agent</i>	<i>Police Chief</i>	<i>Fire Chief</i>
<i>Building Commissioner</i>	<i>Dept. of Public Works</i>	<i>Economic Development</i>