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|----------------------------------|
| FEE: _____                       |
| BLOCK: _____ LOT: _____          |
| QUALIFIER: _____                 |
| APPLICATION FEE: <u>  \$50  </u> |

**ZONING PERMIT APPLICATION**  
**FOR TEMPORARY SIDEWALK CAFE LICENSE**

Applications shall be submitted to the Construction Office at [construction@lambertvillenj.org](mailto:construction@lambertvillenj.org).  
Application Fees should be submitted to:  
18 York Street, Lambertville NJ 08530 ATTN: Construction Office

**\*\*\*ALL COMPLETED APPLICATIONS MUST INCLUDE the following for a complete submittal:  
Electronic Copy of a Diagram of the property indicating where the seating area is proposed.**

**PLEASE PRINT:**

1. Business Name: \_\_\_\_\_  
Business Address: \_\_\_\_\_
2. Owner/Operator Name: \_\_\_\_\_  
Owner/Operator Address: \_\_\_\_\_  
24-Hour Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_
3. Property Owner Name: \_\_\_\_\_  
Property Owner  
Address: \_\_\_\_\_

**Checklist of documents that must be submitted with application:**

- Certificate of Liability Insurance
- Letter from Landlord authorizing sidewalk cafe in front of building OR Business owner owns property
- Insurance Certificate naming the City of Lambertville as additional insured and showing coverage for BYOB (Bring Your Own Bottle) and/or serving alcoholic beverages outside your premises
- A photo and sketch of the proposed cafe area must be provided showing the following details:
  1. Width - the distance from side to side
  2. Depth - the distance from lot line to outer divider
  3. Width of public sidewalk - the distance from the outer diver to the curb
  4. Identification of building entrances, including the establishment's entrance & any residential entrances
  5. Number and placement of tables, chairs, and other cafe equipment, signs
  6. Photo or rendering of intended dividers

\_\_\_\_\_ (business name) agrees to indemnify, defend, and hold harmless the City from any and all liability or claims, including but not limited to death, serious bodily injury, and property damage, arising from \_\_\_\_\_ (business name's) implementation and utilization of a sidewalk cafe in accordance with this agreement.

I, \_\_\_\_\_ (signature) \_\_\_\_\_ (print name), as a representative above named business, do hereby acknowledge that I have received, read and am legally bound by all sidewalk cafe compliance requirements as set forth below, and that noncompliance with said requirements may result in citations, fines and/or the loss of my cafe license.

**\*ALL APPLICATIONS MUST BE SIGNED:**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name(Applicant)

\_\_\_\_\_  
Property Owner Signature OR Designated Agent

\_\_\_\_\_  
Print Name (Owner)

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**OFFICE USE ONLY:**

Based on the information submitted and the requirements of the Township Zoning Ordinance, Your application for temporary outdoor seating is hereby: **APPROVED** \_\_\_\_\_ **DENIED** \_\_\_\_\_

**Comments on Decision:** \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Date



## **Sidewalk Cafe Requirements**

### **Terms of License and Hours of Operation**

1. The Temporary Sidewalk Cafe license shall be valid through December 31, 2020.
2. Hours of operation shall be the same as the establishments existing hours of operation.
3. No alcoholic beverages, where permitted, shall be served in a sidewalk cafe before 11:00 am or when restricted by State or Local Alcoholic Beverage Control (ABC) laws.

### **Application, Insurance Requirements, and Application Fee for Sidewalk Cafes**

1. Applicants for a sidewalk cafe shall submit the following documents:
  - a. A completed application form available through the Construction Office and on the City's website.
  - b. Proof of insurance.
    - i. A copy of the establishment's certificate of liability insurance in a minimum amount of one million (\$1,000,000) dollars per occurrence and two million (\$2,000,000) dollars in aggregate, naming the City of Lambertville and its agents, servants, and employees as additional insured.
    - ii. The policy shall be kept in full force and effect during the licensing period.
    - iii. The policy insurance must be occurrence based coverage.
    - iv. Each Certificate of Insurance required hereunder shall include a thirty (30) day cancellation clause which shall provide notice to the Office of the City Clerk of the City of Lambertville. Any lapse in insurance coverage, for any reason, will result in the immediate suspension of the cafe license.
  - c. A letter from the building owner authorizing a sidewalk cafe in front of the building.
  - d. A letter from the City Clerk's office confirming the applicant's establishment has a valid food license.
  - e. Applicants shall submit scaled diagrams of the proposed sidewalk cafe and photos of the storefront and sidewalk including:
    - i. All buildings, trees, street furniture and other obstructions in front of the property within ten (10) feet of the proposed cafe; and
    - ii. All proposed partitions, tables, chairs, signs and accessories.
2. Fees. A \$50 application fee shall be submitted with the application.



## General Requirements for Operation of a Sidewalk Cafe

1. No person may operate a sidewalk cafe without obtaining a license from the Zoning Officer of the City of Lambertville. The approval must be on premises and displayed in an unobstructed location. The license is not transferable.
2. Sidewalk cafes are permitted so long as a minimum of four (4) feet of pedestrian walkway is maintained on the sidewalk, and provided for the general public, subject to applicable ADA requirements, such as providing passing spaces, at intervals of 200 feet maximum, that are 5-foot by 5-foot in dimension or, an intersection of two walking surfaces providing a T-shaped space with a 5-foot square minimum with arms and base a minimum of 3-feet wide.
3. Where an operating establishment is located on a corner, both the front and side sidewalk areas fronting the establishment may be used for the sidewalk cafe.
4. The sidewalk cafe area shall be separated from the public portion of the sidewalk, by a partition that is between 30 and 42 inches in height. The partition shall not obstruct, in any way, patrons, pedestrians, or public safety personnel from entering or exiting the establishment.
5. Sidewalk cafes shall be exempt from the partition requirements provided the projection into the sidewalk is less than three (3) feet and the setup has been approved.
6. At no time shall the sidewalk cafe partition, tables, chairs, and any other cafe furniture or accessory block any residential entrance. A clear straight path from door to curb shall be provided and maintained for public safety reasons.
7. String lights, cafe lights, and similar temporary lights are permitted. While electrical cords running across the sidewalk are discouraged, if necessary, the cord shall be covered and secured to the sidewalk.
8. Any overhead covering shall be appropriate in style to the facade of the building and a [Type 1 Permit](#) shall be submitted as may be required. Advertising is not permitted on any overhead covering.
9. The sidewalk cafe shall be at the same elevation as the sidewalk. Paint, carpet, platforms or any other surface cover or treatment of any kind shall not be permitted in the area of the sidewalk cafe, unless expressly permitted by the governing body.
10. Outside speakers or other sound reproduction devices shall not be operated or used within a sidewalk cafe for any reason.
11. Smoking shall not be permitted within a sidewalk cafe.
12. The entire sidewalk area in front of the premises, including eighteen (18) inches into the street, must be maintained by sweeping or washing daily or more frequently, as needed, by the licensee.
13. No preparation of food or beverages shall take place outdoors but shall be restricted to the inside of the establishment.
14. Establishments that hold a liquor license, and wish to extend alcoholic beverage service to the sidewalk cafe shall have completed an ABC Expanded License Permit Application. More information on this application can be found [here](#). Licenses not covered for the sidewalk area shall not be permitted to serve alcoholic beverages in the sidewalk cafes.



15. Sidewalk cafes that permit patrons to bring their own alcohol shall adhere to all laws governing B.Y.O.B. as set forth in N.J.S.A. Title 33, N.J.A.C. 13:2.
16. Alcoholic beverages, when permitted under these requirements, shall not be served or consumed on any sidewalk or other public area which is outside the partitioned area of the sidewalk cafe or beyond the tables and chairs where no partition exists.
17. No persons, other than those being served and personnel, shall be within the sidewalk cafe area except for those persons passing through the sidewalk cafe to enter or exit the premises. Patrons shall not be served outside of the partition.
18. Holes drilled into the sidewalk for the support of partitions or overhead coverings shall not be permitted.
19. Establishments that do not have table service, shall provide waste receptacle(s) for all used containers, wrappers, bottles, cans and other waste materials. The waste receptacles shall be located within the sidewalk cafe partition area, and shall be removed from the sidewalk each day.

#### **Additional Requirements for Expanded Sidewalk Cafes**

1. Sidewalk cafes may expand in front of an immediately adjacent property a maximum of one property width, or 25 feet, whichever is less.
2. Both property owners must submit a duly executed consent, in a form acceptable to the City, confirming the adjacent property owner's consent to the extension of the sidewalk cafe. This must be submitted prior to the issuances of a new or amended license.
3. Expanded sidewalk cafes must continue to abide by all the other regulations, including the regulation prohibiting the sidewalk cafe area from blocking a residential entrance.