

Attention East Fishkill Restaurants

Outdoor Dining is permitted as of June 9th

Outdoor dining will be permitted as part of the Hudson Valley's Phase II re-opening. Restaurants that do not currently have outdoor seating can apply for a COVID 19 Outdoor Seating Permit through the town's building department.

To apply for a outdoor seating permit, please fill out the application found here: www.eastfishkillny.gov/government/Building-Permit-Apps.htm

Applicants must meet the permit requirements and all applicable NYS Health Department requirements.



Questions? – Contact East Fishkill Economic Development –
845-405-2966 or econdevdirector@eastfishkillny.gov

Things to consider for outdoor seating:

Permitting requires submission of a site plan that includes all working aspects of your site, especially:

- The placement of the tent / structure
- Fire rating of the tent
- Planned capacity – tables must be at least 6' apart
- The electrical plan (electrical permit is required)
- Physical barriers to protect diners from vehicles
- If curbside pick-up will continue, how the two will be separated
- Restroom access plans (w/ ADA compliance)
- Adherence to DOH guidelines.

Please refer to the NYS guidelines for Outdoor and Take-Out/Delivery Food Services:

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/OutdoorTakeoutDeliveryFoodServicesSummaryGuidance.pdf>



**TOWN OF EAST FISHKILL
BUILDING AND ZONING DEPARTMENT**

330 Route 376, Hopewell Junction, NY 12533
(845) 221-2427 Fax (845) 227-4018
<http://www.eastfishkillny.org>

COVID-19 OUTDOOR SEATING PERMIT APPLICATION

General Information	
Establishment Name:	
Business Email:	
Address:	Phone:
Point of Contact:	
Email:	Cell Phone:
Health District Permit #:	
Current Hours of Operation:	
Do you wish to serve alcoholic beverages outdoors: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Liquor License #:	
Requested Location of Outdoor Seating	
Location of outdoor seating: <input type="checkbox"/> Public Property <input type="checkbox"/> Private Property <input type="checkbox"/> Greenspace/Patio <input type="checkbox"/> Parking Lot <input type="checkbox"/> Sidewalk <input type="checkbox"/> Alley <input type="checkbox"/> Other: _____	
Are public parking lot or alley closures being requested for use: <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, list the location:	
Do you wish to have a tent: <input type="checkbox"/> Yes <input type="checkbox"/> No	Dimensions:
*If yes, a tent permit from the Building Department is required.	
Occupancy Calculation:	
Legal Occupancy Limit: _____	
***Combined Indoor and Outdoor occupancy cannot exceed legal occupancy limit per the Certificate of Occupancy issued by the East Fishkill Building Department.	
Will an Electrical Permit for Lighting be needed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
*If yes, an Electrical Permit from the Building Department is required.	

Narrative Description

Describe your plan for the storage and removal of exterior trash and litter

Describe your plan for providing restrooms for patrons including ADA compliance

Describe your plan for accommodating waiting patrons

Site Plan

Indicate and label the following on the Plan:

- Detail the proposed outdoor seating area and label the location, size and number of tables and chairs, or any items to be part of the outdoor seating and location of unobstructed space permitting free passage of pedestrian traffic around and through the outdoor seating area. In outdoor spaces, all tables with seats must be at least 6 ft. from any other table, seat, patron, or pedestrian thoroughfare or corridor.
- Detail vehicular access: entrances, exits, and vehicular flow must be labeled. Indicate accessible parking, curbside pick-up area, and delivery vehicle locations. Depending on your location you may also want to provide parking for patrons.
- Detail the location of trees, fire hydrants, utility poles, street light poles, parking meters, bus shelters, trash receptacles and any other obstructions or other permanent street fixtures, either existing or proposed, within the outdoor seating area.
- Include any doors leading from the establishment or abutting buildings.
- Detail barricade type and placement, if applicable.
- Detail location of tent, if applicable.
- **If there are questions or special circumstances, please contact the East Fishkill Planning Department at 845-221-2428.**

Required Documents

___ Permit Application

___ Narrative Description

___ Site Plan

___ Proof of landlord permission for outdoor seating

___ Certificate of Insurance for use of public/private property for outdoor seating and/or the service and consumption of alcohol

Permit Requirements and Guidelines

- All tents require building permits and inspection.
- Outdoor seating must be separated from vehicles and a barrier must be provided.
- If using only private property, a full review is anticipated within 48 hours. If the use of public property is requested, the application review may take longer.
- Staff will expedite permit review and approval. Applicant will make themselves available for review comments and site visits. Permit Application approval may take longer if applicant is difficult to contact or application is not complete.

[**All outdoor seating must be in compliance with NYS guidelines for Outdoor and Take-Out/Delivery Food Services. – Click here to view.](#)

Signature and Hold Harmless Agreement

Applicant agrees to defend the Town from and against any and all claims, suits, or actions for death or injury to persons or damage to property brought against the Town arising from any alleged claims, acts or omissions in connection with this Permit, whether or not suit is filed, unless such claim, suit or cause of action was based solely on the negligence of the Town, its employees, agents or contractors. Additionally, applicant shall indemnify the Town for any sums the Town becomes obligated to pay as damages arising out of such circumstances, except to the extent such damages are due solely to the negligence of the Town, its employees, agents or contractors. The applicant is an authorized representative/agent for the establishment.

Applicant acknowledges that the operation of the outdoor seating area will comply with all **New York State Building Code and Town of East Fishkill Code.**

Applicant certifies that all information is accurate and correct.

Applicant agrees to allow Town staff to inspect outdoor seating at any time and comply with updates as required.

Owner/Manager Name:

Phone:

Signature of Owner/Manager: