



TOWN OF KEARNY
HUDSON COUNTY, NEW JERSEY
402 Kearny Avenue
Kearny, New Jersey 07032

Office of the Town Clerk

Tel: (201) 955-7400
Fax: (201) 991-0608

APPLICATION FOR SIDEWALK CAFÉ

TO: Town Clerk, Town of Kearny
Fire Chief, Town of Kearny
Police Chief, Town of Kearny
Health Officer, Town of Kearny
Kearny Enterprise Zone Development Corp.
Construction Code Official

I hereby apply for a Sidewalk Café License issued in the name of:

Company Name: _____

Business Address: _____

Contact Person: _____

Telephone: _____ Fax: _____ E-mail: _____

Please attach the following required information:

- 1) A description of the dimensions of the area and all temporary structures, equipment and apparatus to be used in connection with the operation of the sidewalk café, including but not limited to tables, temporary fences, barriers planters, benches, chairs and umbrellas.
- 2) A statement of the seating capacity of the proposed sidewalk café and of the existing restaurant.
- 3) A sketch to be drawn to scale of the proposed design and location of the sidewalk café, including the location of all appurtenances, demonstrating that pedestrian traffic will not be impeded and that the provisions of Requirements and specifications will be satisfied. The Town Clerk shall refer the sketch to the proper agencies for their recommendations.
- 4) A maintenance agreement pursuant to which the licensee shall agree, at the option of the Town, to either repair at its sole cost and expense any damage caused to the sidewalk by the operation of the sidewalk café or to reimburse the Town in full for all costs and expenses incurred by it in making any such repairs.

TERMS: All sidewalk café licenses shall be issued for the six month period commencing May 1 and ending October 31 of the particular year. Licenses may be renewed annually by filing an application with the Town Clerk at least one month prior to the commencement of the license period in accordance with the provisions of Ordinance No. 2000 - (O) - 09 which includes a fee of \$40.00.

REQUIRED DOCUMENTS
(Must be attached to your application)

CERTIFICATE OF INSURANCE: Proof of insurance coverage as follow to be filed with the Kearny Town Clerk: a copy of the insurance policy or certificate of insurance issued by a company duly authorized to transact business under the laws of the State of New Jersey, providing for the payment of not less than one million dollars (\$1,000,000.00) to satisfy all claims for damage by reason of bodily injuries to, or the death of, any person as a direct or indirect result of the operation of the sidewalk café or for injury to any person occurring on the premises occupied by such café, and further providing for the payment of not less than ten thousand dollars (\$10,000.00) to satisfy all claims for property damage occurring as a direct or indirect result of the operation of such café. The policy and certificate shall name the Town of Kearny as an additional insured and provide for ten (10) days written notice plus three (3) days mail service of any proposed cancellation of the policy to the Town Clerk.

HOLD HARMLESS AGREEMENT: An agreement, in writing, whereby indemnify and hold harmless the Town of Kearny from any and all liability, expense, claim or damages resulting from the use of public lands.

**I HEREBY APPLY FOR A PERMIT AND
TENDER THE APPLICATION FEE OF \$ _____
AND AGREE TO BE BOUND BY ALL PROVISIONS
OF THE TOWN OF KEARNY ORDINANCE NO. 2000-(O)-09**

I hereby declare that the statements in this application are true, that I am familiar with the regulations according to the Town of Kearny and I agree to abide by said regulations.

Signature of Applicant (must be officer or agent of applicant):

Name: _____

Title: _____

TOWN OF KEARNY
HOLD HARMLESS AGREEMENT

For and in consideration of permission granted by the Town of Kearny to (NAME AND ADDRESS) _____

For (SET FORTH ACTIVITY OR USE) _____

The said (NAME) _____
Agrees to indemnify and make harmless the Town of Kearny, its officers, agents, servants and/or employees, against any and all liability, claims, judgments, demands or expenses whatsoever in connection with the loss of life, personal injury and/or damage to property arising out of or resulting in whole or in part from the activity as mentioned, and agrees to submit evidence of insurance coverage for both liability and property damage in such amounts as may be required by the Town of Kearny, and shall include the Town of Kearny as a named insured.

The undersigned further agrees to and shall indemnify and save harmless the Town of Kearny, its officers, agents, servants, and/or employees against any and all liability, claims, judgments, demands or expenses whatsoever in connection with the loss of life, personal injury and/or damage to property arising out of the aforesaid activity. The insurance coverage's hereinabove stated for the benefit of the Town of Kearny shall include contractual insurance covering the indemnification and save harmless provisions of this agreement.

MAINTENANCE AGREEMENT: The undersigned further agrees to either repair at its sole cost and expense any damage caused to the sidewalk by the operation of the sidewalk café or to reimburse the Town of Kearny in full for all costs and expenses incurred by it in making any such repairs.

Dated: _____

By: _____

Name: _____

Witness: _____

Title: _____

MAIL/DELIVER APPLICATION TO:
Office of the Town Clerk
402 Kearny Avenue
Kearny, New Jersey 07032

BELOW FOR INTERNAL USE ONLY

___ Total Fees ___ Hold Harmless ___ Police Dept.
___ Health Dept. ___ Fire Dept. ___ Construction Code
___ Kearny Enterprise Zone Development Corp. ___ Current Certificate of Insurance
License No. _____ issued on _____ 20_____ by Town Clerk

Application Fee Received: \$_____ Method of Payment: _____CHECK _____CASH

CHECK #: _____

RECEIPT #: _____