

Proposed Local Law 2-2022

A local law amending Chapter 216 (Sidewalk Cafes, Outdoor Dining and Sidewalk Sales) of the Village of Ossining Code.

BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:

Section 1. Chapter 216, Section 216-3 (Sidewalk Cafes, Outdoor Dining and Sidewalk Sales-Permit Required) is amended with new matter **underlined** and deleted matter in **[brackets]**.

§ 216-3 Permit required.

- A. A permit is required to operate a sidewalk cafe. The Building Inspector or designee is authorized to issue a permit for the operation of a sidewalk cafe, provided that all of the requirements of §§ **216-4**, Conditions for issuance of permits and operating restrictions for sidewalk cafes and outdoor dining at approved open spaces, and 216-5, Fees and deposits; failure to comply, have been complied with by the applicant. The permit to operate a sidewalk cafe shall be valid for a calendar year. This permit may be renewed annually, subject to the conditions in this chapter.
- B. A permit is required to operate an outdoor dining location at an approved open space. The Building Inspector or designee is authorized to issue a permit for the operation of an outdoor dining location, provided that all of the requirements of §§ **216-4**, Conditions for issuance of permits and operating restrictions for sidewalk cafes and outdoor dining at approved open spaces, 216-5, Fees and deposits; failure to comply, and 250-3, Schedules; adoption of regulations, Subsection C, have been complied with. The permit to operate an outdoor dining location at an approved open space shall be valid from **[May] April 1** through October 31. The permit may be renewed annually, subject to the conditions of this chapter.

Section 2. Chapter 216, Section 216-4 (Sidewalk Cafes, Outdoor Dining and Sidewalk Sales-Conditions for issuance of permits and operating restrictions for sidewalk cafes and outdoor dining at approved open spaces) is amended with new matter **underlined** and deleted matter in **[brackets]**.

- M. The applicant shall file with the application an agreement executed by the owner and tenant of the building to indemnify and save harmless the Village, its officers and employees against any loss liability or damage, including expenses, costs, and attorneys' fees, for the bodily injury or property damage sustained by any person as a result of the operation, in whole or in part, of the sidewalk cafe and outdoor dining at approved open space on public property. The agreement and insurance certificate referenced in § **[214-4N] 216-4N** shall be reviewed by the Corporation Counsel.

Section 3. Effective Date

This local law shall become effective upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.