

For Clerk:

RECEIPT

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VILLAGE OF OSSINING
COMBINED LICENSE APPLICATION

Instructions: Use this form to apply for the licenses in the checklist below. All Applicants must complete Section A, then proceed to the corresponding alphabetically lettered section on the form for the license(s) sought for information and instructions specific to each respective license. Submit completed application, with attachments and any requisite fee(s) to the Village Clerk, 16 Croton Avenue, 1st Floor. The license will not be issued immediately. The Clerk will circulate the application for internal review prior to any approval.

NOTICE: Violations of any terms and conditions of an approved license may result in suspension or termination of the license and enforcement proceedings including court action.

General obligations under the Village Code Chapter 171 require you to (1) permit all reasonable inspections of your business and examinations of your books by authorized public authorities; (2) know about and comply with all governing laws regulations applicable to such licensed business; (3) avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare; (4) cease operating the licensed businesses or premises after expiration of any license and/or during the period his or her license is revoked or suspended.

Below is a list of the Licenses and Fees; check which one(s) you are applying for:

<input checked="" type="checkbox"/>	<u>TYPE OF LICENSES</u>	<u>GO TO SECTION</u>	<u>FEES</u>
<input type="checkbox"/>	Cabaret	B	See attached sheet for fees.
<input type="checkbox"/>	Sidewalk Café	C	\$75 + refundable deposit \$15/linear foot of sidewalk
<input type="checkbox"/>	Refreshment	D	\$75/year
<input type="checkbox"/>	Coin-Operated Amusement Device	E	\$75 (first device)/year \$50 (2 nd -6 th device)/year

I _____ hereby affirm and certify under penalty of perjury that I am the _____ of said establishment, and I have complete authority to make this application and that the information and any attachments I provide are truthful, valid and accurate to the best of my knowledge. I acknowledge that the making of a material false statement in this application shall constitute ground for the denial or revocation of any approval. Additionally, I hereby acknowledge that that an inspection or site visit will be conducted by the appropriate agency or department(s) of the Village prior to the issuance of said permit and that I will facilitate such inspection or site visit at the earliest possible time.

Date: _____ Signature: _____
Print Name: _____ Title: _____

SECTION A: All Applicants MUST complete the following:

1. Name of Business, Street Address and Property Tax ID Number (section/block/lot):

2. Name/Title/Mailing Address/ E-Mail Address\Phone Number(s) of Business Owner or Representative:

3. Provide the name, address, e-mail address and telephone numbers of two persons with authority who may be contacted in case of an emergency at the premises:

4. Type of Business Entity: Corporation Individual Partnership Other _____
 - a. Provide the business Tax Identification Number (EIN): _____
 - b. If a corporation, state the year and state of incorporation. _____
 - c. If not incorporated in New York, attach copy of certificate of authority to conduct business in the State of New York.
 - d. If doing business under an assumed name, attach a copy of certificate of Assumed Name or DBA (doing business as) on file with the NY Secretary of State.
 - e. If a partnership, list the names and addresses of all partners; if a corporation or other entity, state the names and addresses of all shareholders and/or officers:

5. Has any license previously issued to you or your business by the Village of Ossining ever been suspended or revoked? Yes No If Yes, give details

6. Has any person named in items 1-4 been convicted of a felony or other crime involving moral turpitude or any violation of N.Y.S. Alcoholic Beverage Control Law? Yes No

If yes, give details, including specific charge, date of conviction, location and name of court, and sentence imposed:

7. If alcoholic beverages are served at the premises, attach a copy of current, valid NYS Liquor License (NOTE: Name of business noted on this application must match the name on the liquor license).

8. If the applicant does not own the premises, you must attach an original signed/dated letter from the Owner of this property confirming the authority of the applicant and permission to submit this application for license(s). (NOTE: The name of the owner on this letter must match the Village Tax records relating to the property.)

SECTION B: Cabaret License (issued by Village Board):

Village Code Chapter 100: A Cabaret is defined as a place of public resort, accommodation, assemblage, entertainment or amusement where (1) refreshments of any kind are served for gain or profit and where dancing, entertainment or exhibitions are given or permitted, or (2) where exhibitions or other forms of entertainment or amusement are given or conducted for gain or profit, and dancing and serving of refreshments of any kind are permitted. The Board of Trustees is authorized to issue a cabaret license after an investigation is made by the

Police Department. A review is also conducted by the Building Department for purposes of ascertaining safety of the premises and compliance with applicable building and fire codes. **NO PYROTECHICS OF ANY KIND ARE PERMITTED** in connection with a cabaret license. Separate approval must be requested and obtained.

1. Describe nature of business for which Cabaret license is sought, include whether food (lunch and/or dinner) and alcohol is served and normal hours of operation.
2. Describe specific type of entertainment or exhibitions for which a cabaret license is sought, including the maximum number of performers and/or musical instruments or other sound making devices intended to be used
3. Requested days of the week and hours for operation of the Cabaret
4. Attach a floor plan drawn to scale depicting the existing layout of the premises and a floor plan showing the proposed layout, which should include any stage, dance area, lighting, entrances and exits.

SECTION C: Sidewalk Café Permit (issued by Village Manager) and Waiver from Setbacks (issued by Village Board, if necessary):

Village Code Chapter 216: Sidewalk cafes are permitted in VC, NC-1, NC-2, PC, GB, SP-S, SP-N and PW Zoning Districts. The Village Manager is authorized to issue an annual sidewalk café permit to a property owner or tenant (with owner's consent), provided that all conditions in Village Code Section 216-4 are met. The Applicant may also need to obtain a Waiver from the Village Board if the sidewalk café cannot meet the minimum 4-foot setback from obstructions in the sidewalk, including trees, planting wells, parking meters, benches, utility/light poles, benches, trash receptacles, and signs. These are two separate approvals which may be applied for and obtained at the same time.

INITIAL Sidewalk Café Permit: (1) Complete Section A; (2) attach sketch/site plan & all requested materials; (3) submit fee (\$75) and refundable deposit (\$15/linear foot of sidewalk); and (4) applications will be circulated for review before the Village Manager can approve.

RENEWAL Sidewalk Café Permit Available ONLY if no changes in Business, Property Owner, Applicant and Site Plan Layout, including setbacks from sidewalk obstacles: (1) Complete Section A only and (2) Submit Fee (\$75) and refundable deposit (\$15/linear foot of sidewalk).

Setback Waiver (necessary if less than 4 feet to every obstruction on sidewalk): (1) prepare a written request to the Village Board explaining the need and rationale for the waiver; (2) provide proof of certified mailing of written notice to all adjacent property and business owners; (3) attach site plan drawing; and (4) waivers will be reviewed at a public meeting of the Village Board and approved by resolution.

1. Attach the sketch/site plan of the sidewalk café area (with all dimensions labeled) depicting:
 - (a) proposed layout, including location of the barrier system for delineating the café area within the sidewalk area, number of tables and chairs, any other furniture or fixtures;
 - (b) locations and distances/setbacks to the existing street conditions including, but not limited to, curb line, property lines, building façade, light or utility poles, parking meters, trash containers, trees, planting wells, benches and all other structures.

NOTE: If the actual construction differs from the sketch (layout and/or materials) you must submit as-built sketch to Village Clerk or the installation will be subject to code enforcement action.

2. Insurance. Prior to the issuance of the permit, Applicant shall provide the Village with a certificate of insurance naming the Village as an additional insured as to the use of the public sidewalk. **NOTE:** Such certificate constitutes an agreement to indemnify and save harmless the Village, its officers and employees against any loss, liability for damage, including expenses, costs, including attorneys fees, for bodily injury or property damage sustained by any person as a result of the operation, in whole or in part, of the sidewalk café on public property.

3. Describe the nature of business for which sidewalk café permit is sought, include what meals (breakfast, lunch, dinner) or other types of food will be served, and normal hours of operation:

4. Attach a manufacturers' sketch, tear sheet and/or photo of all proposed furniture or fixtures to be placed in the sidewalk café area, including tables, chairs, umbrellas, umbrella stands, etc. If the barrier delineating the sidewalk café area will be attached to the sidewalk, briefly describe the method and any mechanism to be utilized.

SECTION D: Refreshment License (issued by the Village Clerk):

Village Code Chapter 145 Article II: is applicable to refreshment licenses. This article defines a refreshment business as a business conducted or proposed to be conducted for the sale or offering for sale at retail for consumption on the premises where sold, either as a separate business or in connection with any other business, of any malt or vinous beverages, any soft drink including tea, coffee, milk, chocolate and cocoa, any carbonated beverage and any other beverage produced by the process by which beer, ale, porter or wine is produced.

A refreshment license may be denied if (1) Any of the persons in the application or connected or associated persons are not of good moral character or have, within three years of the date of the application, been convicted of a felony or, within one year, of a misdemeanor; (2) any such persons have previously been connected with a refreshment business, the license for which has been revoked or in which business any of the provisions of this article or the Village "Licenses" Chapter 171, with reference to the refreshment business have been violated; or (3) the refreshment business sought to be licensed does not comply in any way with applicable regulations, ordinances and laws.

Any room in which a refreshment business is conducted must be maintained so that a clear view of the interior can be achieved from the street, and shall be free from any screens, partitions or obstructions which prevent a clear view from the street; provided, however, that if the business is not located on the ground floor or, the room does not directly front a street, it shall be maintained that a view of the interior, as above described can be achieved from any entrance to the room. If a bar is maintained in such place, it shall be unlawful to obstruct the entrance behind such bar by gates, fences, doors or any other thing to obstruct the entrance to the rear of the bar. This section shall not apply to a drugstore or pharmacy where a pharmacist duly registered under the laws of the state is in actual and personal charge and the business therein is carried on in good faith as a drugstore or pharmacy.

Completion of Section A and submission to the Village Clerk with the fee is all that is required for an application for a Refreshment License.

SECTION E: Coin-Operated Amusement Device License (issued by Village Clerk):

Village Code Chapter 71 The Village Clerk may issue a license for any coin controlled amusement device of any description which is intended for the amusement or recreation of a patron, including but not limited to electronic games, pinball machines and video games and billiard and/or pool tables, whether or not coin controlled, provided that all conditions in Village Code Section 71-5 are met: (1) the principal use of premises must be a restaurant, licensed drinking establishment or retail store; (2) no more than six amusement devices may be licensed in any one premises at any one time; and (3) if four or more amusement devices are licensed for any one premises at any one time, the portion of the premises where the devices are located must be separated from the remainder of the premises by a permanent partition and the minimum permitted floor area per amusement device shall be 30 square feet computed on the usable floor area remaining after such partitioning.

1. Number of Amusement Devices _____
2. Type of Amusement Devices(s). Describe _____
3. Location of Amusement Devices (s), provide sketch if needed for clarity. _____

do not write below this line

For BUILDING AND PLANNING DEPARTMENTS: review and comment

Zoning District: _____

Valid Site Plan? _____ Any conditions of the approved Site Plan which would prohibit activities related to the requested license?

Any open permits for the premises? _____

What is the maximum occupancy in connection with the proposed floor plan? _____

Valid Certificate of Occupancy? _____ Any Code violations on the premises? _____

Comments: _____

Date: _____

Signed: _____
Name:

For DEPARTMENT OF PUBLIC WORKS: review and comment

Confirm sufficiency of clearances and distances

Approved: _____ Denied: _____

Comments: _____

Date: _____ Signed: _____
Name: _____

For POLICE DEPARTMENT: review and comment

1. Have any complaints been made against the applicant and/or the business premises which is the subject of this application within the last three years: Yes _____ No _____ If yes, attach copies of same.

2. Have there been any calls to the Police Department for assistance of police action at the business premises within the last three years: Yes _____ No _____ If yes, attach listing of all such calls, together with copies of any reports filed in connection there with.

Comments: _____

Date: _____ Signed: _____
Name: _____ Reviewing Officer

For CORPORATION COUNSEL: review and approval as to sufficiency and form

Insurance Certificate Yes: _____ No: _____
Review of Application for Sidewalk Café Setback Waiver Yes: _____ No: _____

Comments: _____

Date: _____ Signed: _____
Name: _____

For VILLAGE MANAGER: review

Sidewalk Café Permit Approved: _____ Permit Denied: _____

Comments: _____

Date: _____ Signed: _____
Name: _____