

County of Brant COVID-19 2020 Temporary Patio Allowance Application

Application Number:

(To Be Completed by Internal Staff)

Overview and Guidelines

1. The applicant must complete the application and submit to patio@brant.ca
 2. The following is required at the time of application:
 - a. Completed application form;
 - b. Diagram of proposed location and layout of the patio including dimensions (Patio Plan);
 - c. Valid Certificate of Insurance (see complete requirements in Section 5);
 - d. Proof of a liquor license if applicable.
 3. Staff will review the application within two (2) business days and return signed approval to applicant or advise of any additional information required.
 4. Staff will inspect the location to ensure the patio is consistent with approved plan.
- This application will apply to any restaurant establishment within the County of Brant.
 - For non-licensed and licensed establishments without an existing patio, the number of persons occupying the temporary patio shall not exceed the posted occupancy of the main building
 - For licensed establishments that have an existing patio, the number of persons occupying the temporary and existing patios combined shall not exceed the posted occupancy of the main building
 - This application must be submitted for review prior to receiving County approval for the temporary patio identified in this application.
 - This program will end October 18th, 2020 and it is expected all patio's and equipment/furniture be dismantled and removed by this date.
 - The information provided will assist in determining the feasibility of approving this application as well as determining special requirements that may be necessary.

- If the application is incomplete, or further information is required, staff will contact the applicant using the contact information provided.
- Patios may only operate during posted restaurant hours and adhere to the County of Brant noise by-law.
- Patios on public space may not make use of currently allocated accessible parking spaces.
- At the end of each business day, the establishment is required to clean the sidewalk in and around the outdoor patio area and remove debris to a covered refuse receptacle.
- County of Brant will have the right to maintain the municipal property in order to carry out repairs or maintenance to the municipal property. Where possible County will provide written notice five (5) days prior to entering.
- Smoking and/or vaping will not be allowed on any patios as per provincial regulations.
- Outdoor cooking or other food and drink preparation are not permitted
- All patios require a fire extinguisher in accordance with Fire Safety
- Any costs to repair damage to municipal property resulting from the patio is the responsibility of the applicant.
- A legal/registered signing authority must provide their signature on this application indicating acceptance of any and all conditions of approval.
- The County has the right to enforce in the event of any non-compliance, the suspension of approval or undertake removal of the patio at the applicant's expense should any of these guidelines be violated.
- The Chief Building Official is authorized to inspect all temporary patios and require adjustments to the patio in order to address compliance with all municipal and provincial guidelines should be included.
- All applicants are required to comply with the Emergency Management and Civil Protection Act (EMCPA), Brant County Health Unit (BCHU), Accessibility for Ontarians with Disabilities Act (AODA) and Alcohol and Gaming Commission (AGCO) Regulations.

By checking this box, the applicant has read, understands and agrees to all conditions and guidelines as outlined above.

**Questions, applications & supporting documentation to be sent
to: patio@brant.ca**

Section 1: Applicant Information:

Name:

Primary contact number:

Secondary number:

Email:

Full Address of Establishment:

Section 2: Property Owners Information *(if different from applicant)*

Name:

Primary contact number:

Secondary contact number:

Email:

Section 3: Patio's on public property (this would apply to those patio's that will be encroaching on public parking spaces)

REQUIREMENTS

- **Patio Size/Width:** Patio's must not encroach into the traffic lane and must remain inside the width of the establishment's property frontage. Any patio proposed beyond these limitations must submit written consent from adjacent property owners.
- If required, traffic barriers and accessibility ramps can be provided by the County at a cost of \$1.00. Equipment must be returned to the County in good working order at the end of the 2020 patio season.

PATIO INFORMATION

- Proposed installation date: _____
- Provide a sketch or simple patio plan illustrating the patio layout with dimensions and materials to be used. Include the number of tables, number of umbrellas, number of exits, all infrastructure, path of travel and utilities. This can be submitted on a separate document with the application OR a photo of the sketch can be submitted by email with the application (MUST be legible). **Please note per AODA Standards, two (2) exists are required.**

Section 4: Patio's on private property

REQUIREMENTS

- Patio Size: For establishments with on-site parking, County staff will review as to an appropriate ratio to be utilized on a case by case basis being as flexible as possible.
- Approval of the application will supersede current zoning by-law setbacks in addition to parking requirements until October 19, 2020.

PATIO INFORMATION

- Proposed installation date: _____
- Provide a sketch or simple patio plan illustrating the patio layout with dimensions and materials to be used. Include the number of tables, number of umbrellas, number of exits, all infrastructure, path of travel and utilities. This can be submitted on a separate document with the application OR a photo of the sketch can be submitted by email with the application (MUST be legible). **Please note per AODA Standards, two (2) exists are required.**

Section 5: Insurance and Indemnification:

Mandatory Requirement

For Patios on municipal property or otherwise determined, a Valid Certificate of Insurance naming the “Applicant” listed in this application as the “named insured”, and evidencing liability insurance coverage for all activities listed in this application, issued by an insurer licensed to do business in Ontario, with limits of not less than:

\$5,000,000.00 per occurrence; And naming “The Corporation of the County of Brant” as an additional insured with respect to any liability arising from this temporary patio, **MUST BE SUBMITTED WITH THIS COMPLETED APPLICATION.** The policy must include a cross liability and severability of interest clause and be endorsed to provide 30 days notice of expiration, cancellation, revocation or material amendment. The applicant must submit this application to their insurer when requesting the Certificate of Insurance to ensure that liability coverage is in effect for all proposed activities. The County of Brant reserves the right to request additional insurance based on information arrived at during the review of this application.

By signing this application the Applicant listed in this application has agreed to defend, indemnify and save harmless THE CORPORATION OF THE COUNTY OF BRANT, its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to or destruction of tangible property including loss of revenue or incurred expense resulting from, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of the Applicant, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the delivery or performance of this event. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Applicant in accordance with this Application, and shall survive the conclusion of the temporary patio.

Section 6: Application signature(s) and authorizing notice

The person signing this application verifies to the best of his/her knowledge; the information provided is truthful and accurate.

The person signing this application is a valid signing authority for the establishment.

The applicant has read and understands all conditions and guidelines as outlined in this document of the County of Brant COVID-19 Temporary Patio Allowance and will comply with all prescribed requirements.

Applicant Signature:

Date:

NOTE: This application must be completed in full. An incomplete or improperly prepared application may not be accepted and could result

FOR INTERNAL COUNTY of BRANT STAFF PURPOSES:

Application # _____

Has been reviewed, approved & signed-off via email notification to EDT staff by designated staff representing:

Emergency Services (Fire) on the date of:

Development Services on the date of:

Legal/Risk Management on the date of:

Operations on the date of:

Economic Development on the date of: