



Planning Department  
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## PLANNING DEPARTMENT

### OUTDOOR DINING APPLICATION

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#### APPLICANT INFORMATION:

Applicant Name

#### BUSINESS INFORMATION:

Business Name

Address

Business Phone #

Email Address

Parcel Zoning

#### PROPERTY OWNER INFORMATION:

Name

Address

#### DESCRIPTION OF REQUEST:

Description

Outdoor Alcohol Sales Proposed?  Yes  No

\* In order for The Village to process any Outdoor Dining Permit Application, the application must be completed in full.  
Application Checklist:

- Applicant's Signature
- Property Owner's Signature (if different)
- Signed Waiver of Liability and Indemnification Agreement (Exhibit A)
- Sketch illustrating furniture number and location, including dimensions of dining area (Exhibit B)
- Product specifications and/or description of proposed furnishings (Exhibit C)
- Application Fee (Establishments with a liquor license \$300.00 or \$100.00 without a liquor license.)

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I HEREBY CERTIFY THAT I HAVE READ, UNDERSTAND AND AGREE TO CONFORM TO ALL GOVERNING INFORMATION AND REGULATIONS SET FORTH BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLAINFIELD; AND THAT ALL INFORMATION PROVIDED HEREIN, AND ON ALL EXHIBITS SUBMITTED IN SUPPORT OF THIS APPLICATION, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date



## **Village of Plainfield Revocable Permit Application Package**

Thank you for your interest in conducting an outdoor use on the sidewalk in front of your business in downtown Plainfield. The Village of Plainfield supports appropriate outdoor uses within the public sidewalk as a valuable contributing factor to achieving a lively, vibrant streetscape environment. Carefully operated outdoor uses can provide a unique dining experience – which is a fantastic amenity to residents and visitors, a benefit to shops and restaurants, and ultimately strengthens the economic sustainability of the downtown.

The Village of Plainfield has adopted Design and Operational Guidelines for Outdoor Uses within the Public Right-of-Way to regulate proposed public outdoor uses. Parties wishing to obtain approval for an outdoor use within the public right-of-way (ROW) should review these Guidelines and submit a completed application package, which is enclosed. The application package includes the following:

- Application Form
- Signed Waiver of Liability and Indemnification Agreement (Exhibit A)
- Site plan sketch illustrating the proposed outdoor use (Exhibit B)
- Product specifications/information for proposed site furnishings
- A sample set of standard permit conditions is also attached
- Proof of Comprehensive General Liability Insurance

Once a fully completed application is received by the Village, it will be reviewed administratively by the Planning Department. A staff determination will be made regarding approval of the request. It should be noted that each business requires a permit to participate. A single permit can not be used for multiple businesses that are owned by the same individual or entity. The applicant will be notified in writing of the Village's approval or denial of the application. The applicant or any interested party may file an appeal of the staff determination within fourteen (14) days of the decision. Appeals will be timely considered by the Mayor and the Village Board of Trustees.

Once you have reviewed this information, you are encouraged to call the Village of Plainfield Planning Department at (815) 439-2824 should you have questions, or if you would like to discuss any aspect of a proposed outdoor use application.

\* Note: all outdoor dining equipment must be removed from the public right-of-way for the Plainfield Homecoming parade. \*



## Revocable Permit Application Check List

Please initial next to each item to verify that you have included it within your application.

\_\_\_ Application completed in full with both signatures and dated by both the building owner and business owner.

\_\_\_ \$300.00 Application fee for establishments with a liquor license. \$100.00 Application fee for establishments without a liquor license.

\_\_\_ Proof of Comprehensive General Liability Insurance in the amount of \$1,000,000 or more.

\_\_\_ Signed and dated Indemnification Agreement

\_\_\_ A detailed diagram of the encroachment area in front of the business identifying the following:

- The dimensions, including the length and width, of the public walk that is adjacent to said establishment and the area to be used.
- The five (5) foot area of unobstructed public walk which is to be reserved for pedestrian use.
- The location and dimensions of any public street furnishings, light posts, trees, tree wells, and any other sidewalk obstructions or elements that could affect the unobstructed movement of pedestrians in conjunction with the proposed encroachment.
- The location where the tables, chairs, benches, planters, fencing, roping, or barrier will be placed during the hours of operation, and the size and number of other sidewalk furniture associated with the use.
- The location where the tables, chairs, and or benches shall be stored during the hours when such establishment is closed.
- In the event that such establishment elects not to move said items inside the establishment each night, the means by which such tables, chairs, benches, etc., shall be secured.
- The distance between the boundaries of the use area and all adjacent street curbs, buildings, property lines, street intersections, alleys, and fixtures in the public walk.
- An illustration of compliance with the provisions of a minimum two (2) foot clearance between any such tables, chairs and/or benches and each doorway leading from the establishment onto the public walk.
- Such other information and documentation as the Village may require in order to demonstrate compliance with the requirements of this subsection and show that the proposed sidewalk encroachment shall not unreasonably interfere with:
  - Adequate pedestrian flow
  - Access to building entrances
  - Pedestrian and traffic safety
  - The aesthetic quality of the surrounding area



*Exhibit A*  
*Indemnification Agreement*

Please read this Waiver of Liability and Indemnification Agreement (“Agreement”) carefully. By executing this Agreement you are recognizing and acknowledging any and all risks associated with the outdoor use contemplated by Village of Plainfield (the “Village”) Revocable Permit No. \_\_\_\_\_ (the “Permit”), and you are waiving your rights to any and all claims for injuries you may sustain arising from your participation in the outdoor use contemplated by the Permit; and you are agreeing to indemnify and hold harmless the Village from any claims arising from or related to that outdoor use.

The undersigned hereby agrees as follows:

For and in sole consideration of being permitted, pursuant to the terms and conditions of the Permit, to use real property owned by the Village, I hereby assume all risks attendant to and associated with the use of such Village property, including but not limited to the risk of property damage and/or personal injury, death, damages or loss which I may sustain as a result of my participation in the outdoor use contemplated by the Permit. I also hereby agree to waive and relinquish any and all claims I may have arising out of, connected with, or in any way associated with my participation in such outdoor use; and also hereby fully release and discharge the Village, its officers, trustees, agents, employees and representatives from any and all claims for injuries, including death, damages or loss which may occur in connection with my use of Village property associated with or related to the Permit.

I, my heirs, representatives, attorneys and assigns hereby further agree to indemnify, defend and hold harmless the Village, its officers, trustees, agents, employees and representatives, from any and all claims, losses, damages, causes of action, suits for injuries, and liability of any kind, including expenses of litigation, court costs and attorney’s fees, arising out of, connected with, or in any way associated with my use of Village property associated with or related to the Permit.

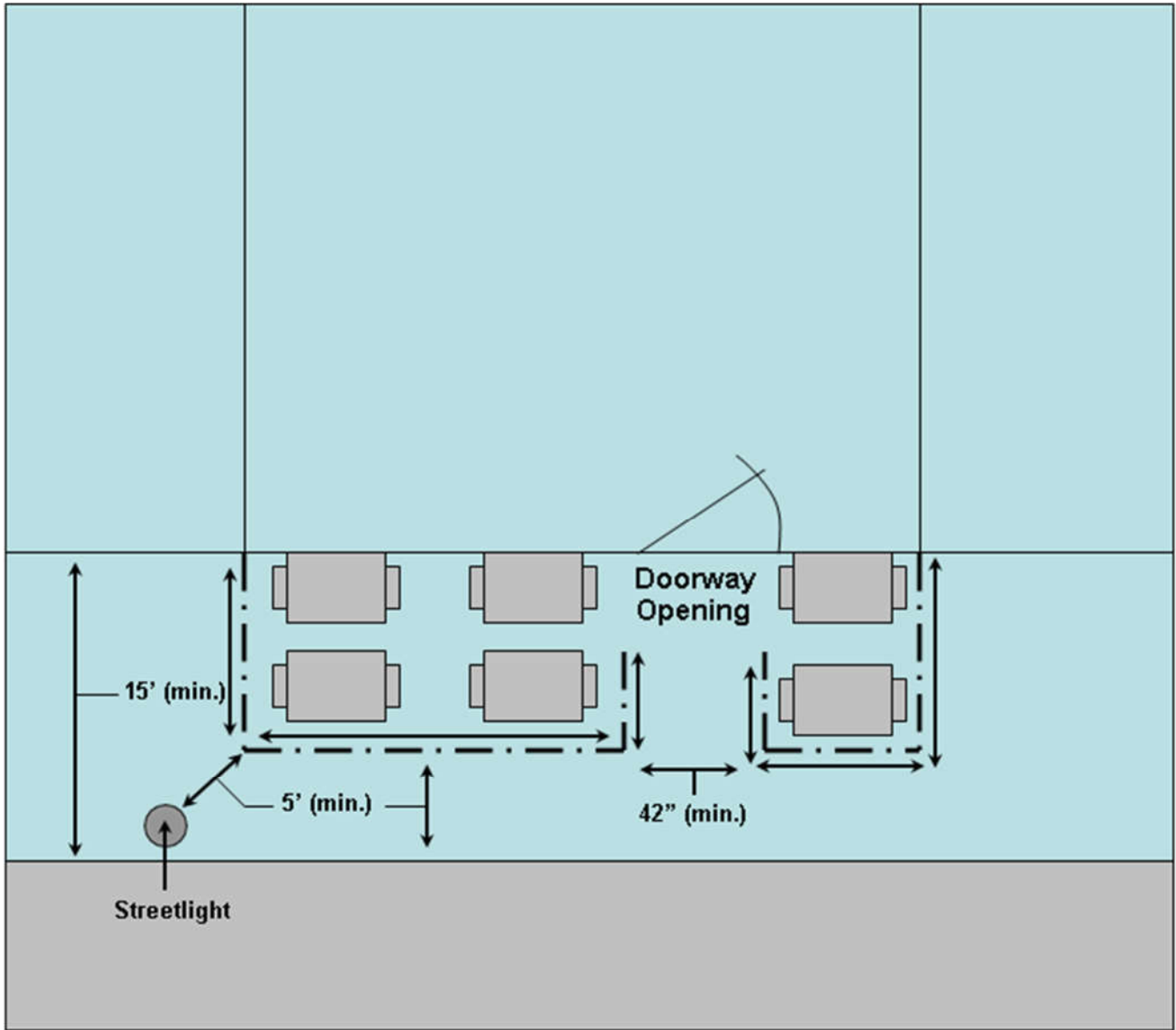
I hereby declare that I exercised my own judgment in deciding whether to sign this Waiver of Liability and Indemnification Agreement and I further declare that my decision to sign this document was not based on or influenced by any declarations or representations of any officer, trustee, agent, employee or representative of the Village. I read and fully understand and agree to the above stated conditions of my use of Village property associated with or related to the Permit.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



*Exhibit B*  
*Example Site Plan*



Instructions/ Notes:

1. The sketch need not be to scale, but must include accurate dimensions
2. Clearly identify and label all sidewalk obstructions, including streetlight posts, sign posts, tree wells, planters, hydrants, and benches.
3. Label all doorways to the interior of the building.
4. Provide accurate dimensions of the length and width of the dining area.
5. Show location of pedestrian barrier, if proposed (outdoor alcohol service is required to be enclosed)



### Standard Conditions:

1. A permit is required for all outdoor uses within the public Right-Of-Way (ROW).
2. The business owner must sign the permit and indemnification agreement (attached as Exhibit A) agreeing to indemnify the Village of Plainfield.
3. Adequate insurance coverage must be maintained throughout the duration of the permit.
4. All permits expire on December 1 of the year issued. A new permit must be obtained to continue the outdoor use after April 1 of the subsequent year.
5. Permitted hours of operation are 11 a.m. to 11 p.m., Sunday through Thursday, and 11 a.m. to 12 a.m. (midnight) on Fridays and Saturdays. The Village recommends that a "last call" procedure be implemented to provide advanced notice to patrons of the closing time for the outdoor dining area. The closing times will be strictly enforced.
6. There must be clear pedestrian paths:
  - i. For sidewalks greater than 15 feet in width, a minimum 5-foot clear pedestrian path must be provided free of all obstructions.
  - ii. For sidewalks 15 feet in width or less, a minimum 4-foot clear pedestrian path must be provided free of all obstructions.
  - iii. For outdoor uses adjacent to on-street parking, a minimum 2-foot clear pedestrian path must be provided parallel to the street centerline.
  - iv. Where two outdoor neighboring outdoor uses adjoin on-street parking, a minimum 2-foot opening must be provided for each business set back from the shared property line extended.
  - v. A minimum 5-foot clear pedestrian path must be provided at all crosswalks.
  - vi. A minimum 42-inch (42") clear pedestrian path must be provided leading to the main entrance of each business.
7. The proposed outdoor use shall not extend beyond the property lines of the principle use.
8. **No outdoor amplification (sound systems) is allowed as part of the outdoor use permit.**
9. Sidewalks MUST be kept in a clean, neat, and attractive manner and should be cleaned at least once daily and washed weekly.
10. The outdoor use is a privilege and not a right. The Village of Plainfield may suspend or revoke the permit for cause, such as but not limited to:
  - i. Any violation of the Village of Plainfield Code of Ordinances or applicable state laws; or
  - ii. To complete necessary repairs, or
  - iii. For other reasons at the sole discretion of the Village.
11. The permit-holder must comply with the requirements of the Will County Health Department, the Plainfield Fire Protection District, and the applicable requirements of the Village of Plainfield Code of Ordinances, including, but not limited to, the Village's current ordinance regulating the sale and consumption of alcoholic liquors.
12. The outdoor use must comply with the site plan sketch attached. The number and configuration of tables may not be increase without submitting a new permit application form to request an amended site plan.
13. Per the approved site plan, the maximum occupancy of the outdoor dining area is \_\_\_ patrons. There must be sufficient seating capacity (chairs) to accommodate the number of patrons in the outdoor dining area at all times
14. With respect to the layout and placement of tables and chairs, the outdoor dining area shall be maintained in a manner that is generally consistent with the approved site plan at

all times while the outdoor use is being conducted. Specifically, the tables and chairs shall remain within the outdoor dining area during its operation.

15. Only permitted furnishings may be used (information provided as Exhibit C). No mixing and matching of furnishings is permitted within a single outdoor use.
16. For outdoor dining areas without wait service (take-out restaurants), at least one private trash receptacle must be provided within the outdoor dining area. The trash receptacle must be emptied at least once daily by the business.
17. Smoking is prohibited in the outdoor dining area. As a condition of this permit, signs are required to be placed on each table with the "no smoking" restriction. The "no smoking" policy must also be displayed with one window sign or window lettering that is visible from the outdoor dining area.

In addition to these general conditions which apply to all outdoor uses, the Village may impose additional conditions specific to this outdoor use request.

I have read and understand the above standard and additional conditions and agree to comply with the conditions at all times.