

TEMPORARY OUTDOOR DINING REGISTRATION

Any restaurant that wishes to establish new or additional outdoor dining/seating areas in order to operate consistent with the [State of North Carolina Phase 2 – Easing of Restrictions \(Interim Guidance for Restaurants \(May 22, 2020\)\)](#) is required to register temporary outdoor dining/seating with the Town of Fuquay-Varina and comply with the requirements outlined in the Town's Temporary Outdoor Dining/Seating Guidelines. Please fill out the form below.

The guidelines allow for restaurants and other food and beverage businesses permitted to be open under EO 141 to utilize private parking spaces and sidewalk space for temporary outdoor dining conversion. Restaurants with dedicated parking may convert up to 25% of parking spaces (excluding ADA spaces) to temporary outdoor dining. This can allow for more dining capacity while complying with the [Town of Fuquay-Varina Outdoor Dining/Seating Ordinance](#) and Governor Cooper's phase 2 requirements.

This program will be **effective May 29 beginning at 5:00 pm through June 26 at 5:00 pm** (subject to change pending changes by the Governor and/or other regulatory State, County or Local Government agencies).

Applicant Name _____

Phone # _____

Email _____

Position/Title _____

1. Name of the business seeking temporary outdoor dining/seating registration:

2. Business address (including any unit or suite number, where applicable):

3. Type of temporary outdoor dining you are applying for (check all that apply):

- Parking Lot Outdoor Dining/Seating (Private Lot)
- Town Maintained Right Of Way (e.g., Sidewalk)

4. Number of indoor seats previously (pre-emergency) at the restaurant: _____

5. Number of outdoor seats previously (pre-emergency) at the restaurant: _____

6. Maximum number of people allowed in the building (according to the certificate for building occupancy): _____

7. Number of indoor seats with executive order restrictions (no more than 50 percent of building occupancy which includes staff) _____

8. Will temporary extension of outdoor dining/seating include a tented area? (circle one) YES NO

9. Days of the week & hours new/additional outdoor seating will be used

10. Landlord/property owner authorizing the new/additional outdoor seating (circle one) YES NO

11. Date that the new/additional outdoor seating is proposed to begin _____

12. This restaurant agrees to the following (all boxes must be selected to participate in the program):

- The temporary outdoor dining will adhere to all State and local laws
- The temporary outdoor and indoor dining seating will not exceed 100% of the certified building capacity
- The temporary outdoor dining will not include a platform, electricity, or plumbing.
- The temporary outdoor will maintain ADA accessibility standards
- The temporary outdoor dining/seating will follow NC ABC Commission Phase 2 Guidelines

(if your business is NOT seeking a temporary extension of outdoor dining/seating for the sale of alcohol, please skip this next section and provide signature where indicated).

**ABC COMMISSION - PERMIT HOLDERS SEEKING TEMPORARY EXTENSION OF ON-PREMISES ADDITIONAL
OUTDOOR DINING/SEATING AS PART OF EXISTING ABC PERMIT**

Requirements of the North Carolina ABC Commission – May 24 – Phase 2 Response

Pursuant to the guidance provided by the [North Carolina ABC Commission on Sunday, May 24, 2020 \(in response to Phase 2's easing of restrictions\)](#), food and beverage businesses wishing to extend temporary additional outdoor dining/seating, either on private property or in the public right of way, must do the following **(check boxes after completion)**:

1. Obtain approval from the local government entity via the Town's Planning Department. Town Police Department will be notified of application. Applicant must receive confirmation approval prior to use of the extended area. This includes those who will be temporarily extending their premises onto their own property (yard or parking lot) and any temporary extension onto Town-maintained property (e.g., sidewalks).
 - Completed application/registration
2. Obtain the written permission of the owner of the property, if the business owner is not also the property owner, to extend temporary additional outdoor seating.
 - Permission granted from property owner (if different from applicant)

3. Maintain a diagram (sketch) of the temporary extension on the permitted premises indicating the size and location of the temporary extension, the types of barriers to be used, and how many tables and chairs will be placed in the temporary area.

Town provided diagram of temporary extension of temporary permitted premises.

4. Position the temporary extension such that it is adjacent to, abutting, and connected to the primary licensed premises. One of the exterior walls of the licensed premises must be part of the extended area.

Temporary extension area positioned appropriately to primary licensed premises.

5. Comply with ADA accessibility requirements.

Business acknowledges compliance of ADA accessibility requirements.

6. Temporary extension area is visibly and vertically mark off the temporary area so that the average citizen can distinguish between the extended licensed premises and the public walkway.

Documentation provided to Town showing temporary extension area to be visibly and vertically marked off.

7. Business agrees to educate/monitor consumers such that they are not allowed to take open containers of alcoholic beverages out of the temporary extension of premises area.

Business's members of management and staff agree to monitor consumers to ensure compliance with alcoholic beverage open container laws.

Applicant Signature

Date

Property Owner Signature (if different from Applicant)

Date