

Wayne H. Wink, Jr.

Town Clerk

Tel: (516) 869-7646



Town Of North Hempstead

Office of the Town Clerk

200 Plandome Road Manhasset, NY 11030

COVID-19 Outdoor Accommodations

LIFT UP LOCAL - ROAD CLOSURE PERMIT APPLICATION INSTRUCTIONS

Introduction

The Town of North Hempstead is temporarily allowing restaurants, food service establishments and retail stores an additional way to expand their operations outdoors during the timeframe in which such establishments are subject to reduced interior occupancy or density restrictions arising from the COVID-19 pandemic. This application is intended to allow Chambers of Commerce, Business Improvement Districts or a majority of businesses on a street the opportunity to obtain a permit for a temporary road closure to use the street as dining and/or retail space.

Instructions

Completed applications for a Road Closure Permit must be submitted to the Town Clerk. The Town Clerk will issue a Road Closure Permit only to a Chamber of Commerce, Business Improvement District or to the majority of the restaurants/merchants on a street wishing to participate in a road closure for outdoor dining and/or retail. The Road Closure Permit will be issued in the name of the sponsoring organization or in the name of all of the restaurants/merchants who applied therefor. A Road Closure Permit will not be issued to an individual business. A Road Closure Permit may be issued for one or more dates. Applicants must provide proof of insurance as set forth in the application. There is no fee for issuance of a Road Closure Permit.

Applicants will be required to coordinate with the Town to secure all required approvals from the Nassau County Police Department or local police department, the local fire department, Nassau County Fire Marshal and NICE Bus (if applicable), and to coordinate through the Town Clerk's office to secure barricades from the Town's Highway Department to block vehicle traffic on the roads that are proposed to be closed. If an applicant has already coordinated with or received approval from these entities, documentation should be submitted with your Road Closure Permit Application to expedite the process.

Applicants will be responsible for notifying all impacted property owners and/or tenants within 300 feet of the road closure area.

Submitting an application does not guarantee approval. The Department of Public Works – Traffic Engineering Division will review all applications for potential impacts on vehicular circulation in the area. Applications will be reviewed in an expedited manner.

Questions about this application can be sent to: feedback@northhempsteadny.gov or by contacting 311 [(516) 869-6311]. Completed applications with any supporting documentation should be emailed to: feedback@northhempsteadny.gov

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LIFT UP LOCAL - ROAD CLOSURE PERMIT APPLICATION

Permit Type: New Expedite Amendment

Name of Applicant

Address of Applicant

Telephone

Name of Chamber of Commerce or BID (if applicable*)

Entity Address

Telephone

Applicant's Email Address

Location of Proposed Closed Street (Street Name)

Have you previously requested a Road Closure permit? Yes No

Description of proposed activity (temporary outdoor chairs and tables, outdoor retail, etc.):

Location of street for closure (specify street name/sidewalk):

From _____ To _____

*If submitted by the majority of businesses, attach consent as described below.

Date road closure(s) is to take place:

1. _____ Rain Date (if applicable) 2. _____ Rain Date (if applicable) 3. _____ Rain Date (if applicable)

Hours road closure(s) is to take place:

_____ A.M./P.M. _____ A.M./P.M. _____ A.M./P.M.

ACTIVITIES RELATED TO ROAD CLOSURE PERMITS (INCLUDING THE ARRIVAL, SET-UP AND BREAKDOWN OF EQUIPMENT) SHALL ONLY BE PERMITTED BETWEEN THE HOURS OF 10:00 A.M. AND 11:00 P.M.

Will any temporary tents be erected? Yes No

If yes, you must contact the Nassau County Fire Marshal’s office and the Town of North Hempstead Building Department.

Are you requesting permission under Town Code Section 44-4 to allow consumption of alcohol in public places?

Yes No

If “yes”, you must provide copies of liquor licenses for all establishments seeking to serve alcohol under the Road Closure Permit.

***In addition, each participating restaurant and food service establishment seeking to expand a licensed premises for service of alcoholic beverages must comply with the New York State Liquor Authority’s (SLA) streamlined process, which includes submitting a completed: (i) Licensee Certification for Temporary Extension of Licensed Premises onto Municipal Property form; and (ii) a Block Plot Diagram (City/Town). These forms, together with SLA guidance on Outdoor Expansion of Licensed Premises in Response to COVID-19 Outbreak, are available on the Town’s website under the Town Clerk section.

REQUIREMENT FOR APPLICANTS OTHER THAN CHAMBERS OF COMMERCE OR BID

If the applicant is not a Chamber of Commerce or Business Improvement District, the application must be supported by the majority of the property owners or tenants on the street. In such an instance, the applicant must submit a consent signed by a majority of property owners or tenants on the street, which shall also indicate each business name, business address, the name of a designated representative and their title in the business, and their telephone number and email address.

INSURANCE REQUIREMENT

Applicant must provide proof of insurance coverage for damage to property in the amount of Five Hundred Thousand (\$500,000.00) Dollars for any single claim and for any aggregate occurrence in the amount of One Million (\$1,000,000.00) Dollars; for bodily injury for any person in the amount of One Million (\$1,000,000.00) Dollars and for any aggregate occurrence in the amount of Two Million (\$2,000,000.00) Dollars. Each such insurance policy shall name the Town of North Hempstead as an additional insured party.

Return Insurance Certificate in the amounts indicated above (or greater) with completed application.

PLAN SHOWING PROPOSED USE

ON SEPARATE PAGES:

- A.** Submit a plan showing location and boundaries of proposed outdoor seating, display areas, equipment or other items, and pedestrian walkway.
 - Plan can be hand drawn on an existing street map, survey, site plan or aerial map from Google Maps/Earth, Bing, etc.
 - COVID-19 outdoor seating must be spaced at least 6 feet apart. All spacing for items within the outdoor spaces must meet current social distancing requirements.
- B.** Applicant must describe how businesses and residents will be notified that a temporary street closure will be taking place. The applicant may be required to provide the Town Clerk’s office with a copy of the proposed notification prior to the road closure date.

PERMIT CONDITIONS

A Road Closure Permit shall be subject to the following provisions:

1. Any outdoor dining area or retail space must be adequately spaced apart to comply with social distancing requirements, including the location of all tables, chairs, benches and displays.
2. No person shall erect booths, tables and chairs, or display merchandise in such a manner so as to block pedestrian traffic or otherwise obstruct any sidewalk, driveway apron, handicapped access ramp or fire hydrant. Compliance with the Americans with Disabilities Act shall be maintained.
3. No activity on the closed street shall be conducted between the hours of 11:00 p.m. and 10:00 a.m. the following day, and no tables, seating, merchandise, booths, or display cases shall be left on the site between such hours, even if the activity may continue the following day.
4. The applicant shall be responsible to ensure that any litter generated as a result of the closed street activity is properly removed.
5. The applicant and/or participating businesses shall be responsible for providing their own tables, chairs, etc.
6. The applicant shall comply with such other conditions as the Town Clerk may require as necessary for public safety or to protect public improvements, including but not limited to the posting of no-parking signs, traffic cones or barricades.
7. The provisions of the Town's noise ordinance (Chapter 38) shall be adhered to.
8. The Town Clerk and/or Commissioner of Public Safety shall have the authority to revoke any Road Closure Permit in the following instances:
 - a. Where they find that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the permit was based.
 - b. Where they find that the permit was issued in error and should not have been issued in accordance with the applicable law.
 - c. Where they find that the permit is not executed in accordance with the provisions of the application, plans or specifications.
 - d. Where the person to whom a permit has been issued fails or refuses to comply with a stop order.

PROVIDE NOTIFICATION TO RESIDENTS AND BUSINESSES WITHIN 300 FEET OF THE ROAD CLOSURE. SUCH NOTIFICATION MUST BE DISTRIBUTED TO EACH RESIDENT AND MERCHANT, WHERE FEASIBLE, NOT LESS THAN 72 HOURS IN ADVANCE OF THE ROAD CLOSURE.

FOR YOUR APPLICATION TO BE PROCESSED, ALL OF THE REQUESTED ITEMS MUST BE RETURNED TO THIS OFFICE. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL 311 [(516) 869-6311].

I SOLEMNLY SWEAR AND AFFIRM UNDER PENALTY OF PERJURY, TO THE TRUTH OF ALL STATEMENTS HEREIN AND AGREE TO ADHERE TO THE RULES AND REGULATIONS OF THE TOWN OF NORTH HEMPSTEAD, THE NASSAU COUNTY CHARTER, THE LAWS OF THE STATE OF NEW YORK, AND EXPRESSLY AGREE TO INDEMNIFY AND HOLD HARMLESS THE TOWN OF NORTH HEMPSTEAD FROM ANY AND ALL LIABILITY OR DAMAGES RESULTING FROM THE ISSUANCE OF A ROAD CLOSURE PERMIT OR FROM THE USE OF SUCH PUBLIC RIGHT-OF-WAY. ANY FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210-45 OF THE PENAL LAW OF THE STATE OF NEW YORK.

Signature

Date

CONSENT FORM FOR MAJORITY OF PROPERTY OWNERS OR TENANTS ON THE STREET TO BE CLOSED
This form does not need to be completed when the applicant is a Chamber of Commerce or a BID

I am a property owner or tenant on the street that is referenced in the attached Road Closure Permit Application and support the requested road closure on the dates and times indicated in the application.

BUSINESS NAME	BUSINESS ADDRESS	REPRESENTATIVE NAME	BUSINESS TITLE	TELEPHONE NUMBER	EMAIL ADDRESS	SIGNATURE
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

FOR OFFICIAL USE				
REFERRALS	AGENCY	DATE	RECOMMENDATION	COMMENTS
NCPD				
PWPD				
FIRE DIST.				
FIRE MARSHAL				
NCDOH				
NICE BUS				
SLA				
TNH HIGHWAYS (BARRIERS)				
TNH TRAFFIC				
CODE ENFORCEMENT				
PLANNING				
BUILDING DEPARTMENT				
PARKS PUBLIC SAFETY				
SAFETY COORDINATOR				
INTERGOVERNMENTAL				
OTHER				
SUPV/TB				

FOR OFFICIAL USE PRIOR TO ROAD CLOSURE (To be confirmed within 24 to 48 hours in advance of Road Closure)		
COORDINATION WITH HIGHWAYS	CONFIRMATION OF COMPLETION	COMMENTS
Placement of Electronic Road Closure Signs		
Placement of Paper Notices on Roads to be Closed advising of Date and Time of Closure		
Barriers/barrels confirmed to be Installed		