

Office Use Only	
Date Received:	_____
Date Referred:	_____
Date Approved:	_____

**DINE OUT LINCOLN
APPLICATION FOR TEMPORARY USE OF PUBLIC SPACE**

- Dine Out Lincoln Permit is a temporary permit to allow the expansion of restaurants & other similar types of business during the current Directed Health Measure where there is a need to reduce occupancy and/or provide more spacing between customer tables in order to protect the health of the public. The expansion area can be indoors or outdoors and will be called an “Addition” in the application.
- No application or permit fee due to the City of Lincoln.
- Each question must be completely answered & all attachments included.
- Submit application & attachments to the: City Clerk’s Office, 555 S. 10th St., Lincoln NE 68508, or by email at cityclerk@lincoln.ne.gov.
- Dine Out Lincoln application is reviewed and approved upon inspection and by a committee of City Staff. A separate temporary permit will be issued.

REQUIRED ATTACHMENTS:

Addition Site Plan - indicating, to scale, measurements of desired amount of public property you are seeking permission to use & include the following: 1) location of all fencing, including design, gates, height; 2) a photo of the fencing material to be used; 3) location of all furniture, equipment, and any other article occupying public space; location of any existing light poles, planters, curbs, hand sanitizing stations; 4) amount of clearance between existing light poles, planters & curbs and your proposed sidewalk café; 5) additional information required if requested area is in parking lot. Refer to [EXHIBIT A].

Certificate of Insurance - must be attached to application. \$1 million (combined single Limit) ACORD form, • City of Lincoln named Additional Insured, • 30 day Cancellation notice to City Clerk, • Certificate Holder must contain the following: City of Lincoln and/or Lancaster County and/or City of Lincoln/Lancaster County Public Building Commission 555 S. 10th Street, Lincoln, NE 68508. Refer to example form at <https://www.lincoln.ne.gov/city/finance/clerk/>

Bond for Use of Public Space - \$5000 from a corporate surety licensed to do business in Nebraska Original must be attached to application. Refer to example form at <https://www.lincoln.ne.gov/city/finance/clerk/>

LIQUOR REQUEST SEE BELOW

- Complete Application Form 110 for Addition & Form 112 for Deletion. These additions are intended to expire when the existing Directed Health Measure is lifted. NLCC applications can be found at <https://lcc.nebraska.gov/licensing-forms>. If you have questions, call the NLCC office at 402-471-2571.

For applicants intending to serve liquor in the temporary area, please see below You should already be an established liquor license holder, if not you will need to apply for a liquor license.

- Sign & date the Attachment Form 110 & Form 112. Submit this form with your NLCC form 110 & 112 to the NLCC office.
- Site plan submission to the NLCC Office must be identical to the site plan submitted for the Dine Out Lincoln Permit. There can be no deviations.

DINE OUT LINCOLN PERMIT APPLICATION PUBLIC PROPERTY

Please PRINT using blue or black ink only.

Check mark existing permits & licenses: _____ Food Establishment Permit (_____ Permit #)

___ Sidewalk Café(_____Permit#) ___ Current Occupancy #: _____ Liquor License #:_____

If other, explain: _____

RESTAURANT INFORMATION			
BUSINESS NAME:			
STREET ADDRESS:		CITY:	
STATE:	ZIP:	PHONE #:	
EMAIL ADDRESS:			

APPLICANT INFORMATION			
BUSINESS NAME:			
STREET ADDRESS:		CITY:	
STATE:	ZIP:	PHONE #:	
EMAIL ADDRESS:			
POSITION:			

PROPERTY OWNER (must be individual and/or legal entity)							
NAME:							
STREET ADDRESS:							
CITY:		STATE:		ZIP:		PHONE #:	
DOES THE RECORD PROPERTY OWNER AGREE TO SUCH USE? _____ YES _____ NO							
ATTACH A LETTER OF CONSENT BY RECORD PROPERTY OWNER FOR THE USE OF SAID PROPERTY.							

DAYS & HOURS OF OPERATION (No later than 12:30 a.m.)							
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN							
CLOSE							

SITE PLAN REQUIREMENTS FOR TEMPORARY DINING

Please provide a **DETAILED** drawing to ensure your application is not denied. Attachments are accepted.

REQUIRED: Identify the locations & dimensions of the following on site plan:

1. Size of area being used: _____
2. Size & location of table(s) & chair(s): _____
3. Size & location of hand sanitizing station(s): _____
4. Size & location of tent(s): _____ {Tents larger than 400 sq. ft require a tent permit}
<https://lincoln.ne.gov/city/build/forms/tent-permit.pdf>
5. Entry & exit points & dimensions: _____ {min. of 2}
6. Identify location of the following: Planters (#____) & Trash Containers (#____)
7. Identify location of restaurants entrances & exits adjacent to the temporary outdoor dining area.
8. Fencing or retractable stanchions, ropes, line dividers, or other barriers are **REQUIRED** for identifying separation of dining area. Identify type of barrier: _____

If in a parking lot:

- a. Identify area used in parking lot. _____ x _____ Check mark: ___Shared ___Private
- b. (#____) of stalls to be used for dining area.
- c. (#____) of stalls remaining for parking.
- d. If shared lot, adjacent business must still have the minimum required parking stalls for their business.

Note: Questions relating to entry/exit points; electrical wiring; tent sizes can be directed to:

Chuck Schweitzer, Fire Prevention Bureau: (402) 441-6441.

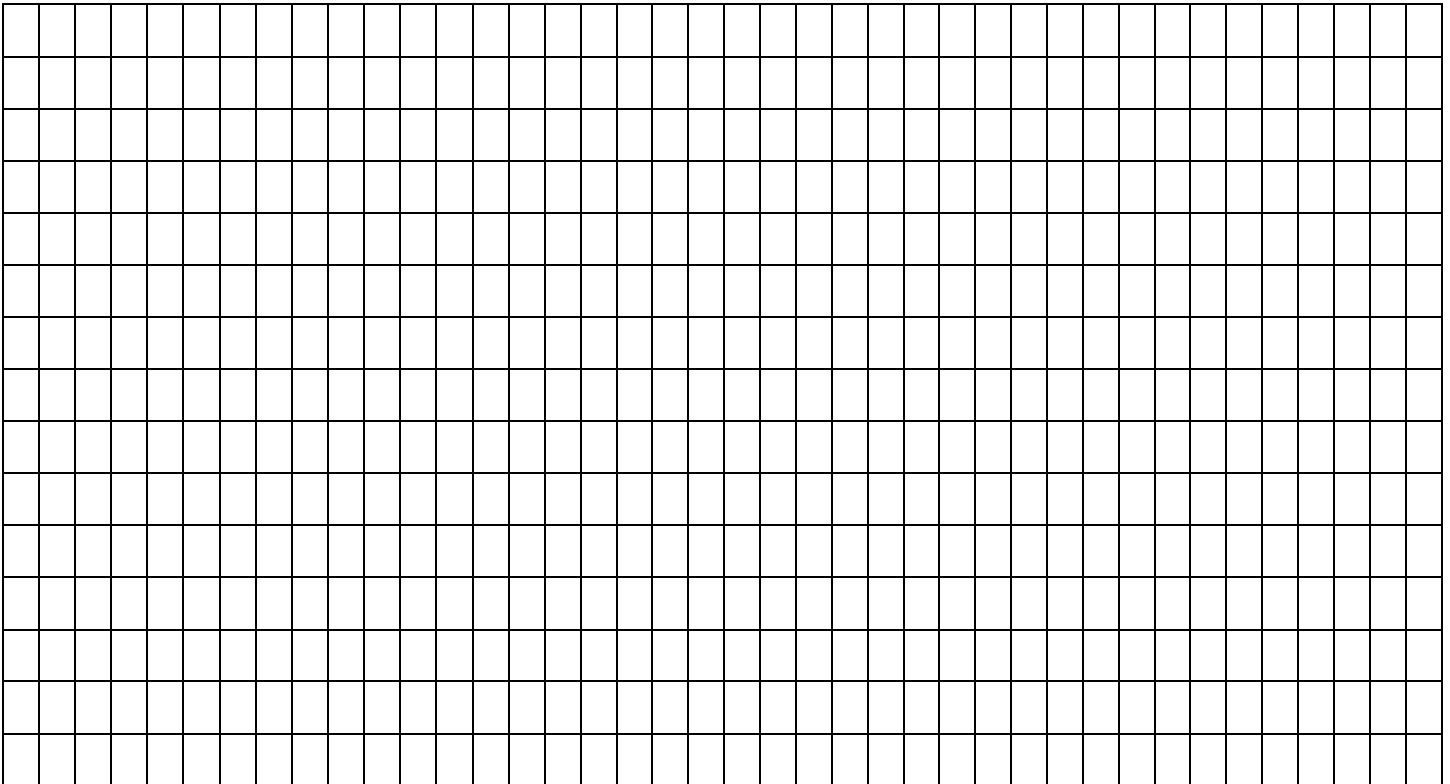


EXHIBIT A

ATTACH EXTRA PAGES IF NECESSARY

TERMS AND CONDITIONS

Please read and initial each line item to confirm all parties understand the standards and requirements for temporary dining areas. The applicant agrees:

_____ It is currently subject to a state or local directed health measure (DHM), concerning Covid-19, where there is a need to reduce occupancy and/or provide more spacing between customer tables in order to protect the health of the public.

_____ It wishes to add a temporary addition to a currently premise under the control of the Applicant.

_____ Only existing restaurants and other establishments with a valid certificate of occupancy will be considered for temporary dining.

_____ To comply with Lincoln-Lancaster County Health Department and the CDC guidance and recommendations while a Directed Health Measure is in place.

_____ If a state or local DHM requires closure of a licensed premise, it will not sell or disperse food and/or liquor, or allow customers, in the requested Addition.

_____ The Addition shall only be approved for the period of time that a state or local DHM, concerning Covid-19, is in effect or no later than August 31, 2021, whichever occurs first.

_____ Upon expiration of a DHM, related to Covid-19, the Applicant's Deletion Application is immediately effective and the Applicant will abandon the use of the Addition.

_____ If the DHM, related to Covid-19, has not expired by August 31, 2021; the Applicant's Deletion Application is immediately effective on August 31, 2021 and the Applicant will abandon the use of the Addition. The Applicant may use the Addition on August 31, 2021, but not after.

_____ That upon the expiration, suspension, or termination of the Applicant's lease or permit, or other form of authority, to use the Addition; the Applicant will immediately abandon the use of the Addition.

_____ Addition must be located directly adjacent to the existing establishment, or (if no liquor) a location within the approved dimensions identified on the site plan.

_____ Addition must be delineated in some manner by a temporary fence or other approved barrier.

_____ To separate tables for social distancing to attain a minimum 6-foot separation between chairs with patrons occupying them.

_____ To require owners, employees, and customers to follow the current Directed Health Measure and/or Lincoln-Lancaster County Health Department guidance and recommendations.

_____ To provide hand sanitizing stations required in any outdoor Addition.

_____ Maintain all current entrances and exits to all adjacent structures.

_____ To not make any modifications to the approved Site Plan within the Application or contained on Exhibit A.

_____ To not install any tents on public property. If private property is also being used, the Applicant will apply for a Tent Permit. If you have questions contact Building & Safety Department at 402-441-7521 or <https://lincoln.ne.gov/city/build/permits.htm>

_____ To not use the Addition for any other uses besides the consumption of food and beverage. Unless approved by the City, the Applicant shall not allow live entertainment, gaming activities, TV's, and other retail sales in the Addition that would require the participant to leave the table in order to participate.

_____ Unless approved by the City, to prohibit pets are permitted in an outdoor Addition, except service animals.

_____ Unless approved by the City, to prohibit open flames, cooking or food preparation in an outdoor Addition.

_____ To be responsible for property disposing of all trash in appropriate refuse containers.

_____ For Additions in parking lots, to provide physical barrier or separation to protect customers from vehicle traffic. Outdoor seating cannot be in ADA parking spaces, unless ADA parking spaces are provided elsewhere.

_____ All Additions must pass and applicable City or State inspections and meet Fire Code standards.

_____ If dispensing and selling liquor is the proposed addition, the Applicant obtained approval from the Nebraska Liquor Control Commission (NLCC) by, contemporaneously filing an Application for Addition to Liquor License ("Addition Application") and an Application for Deletion to Liquor License ("Deletion Application"), and the Attachment.

_____ To maintain the Addition at the Applicant's sole expense to include, but not limited to daily maintenance; snow and/or ice removal; removal of leaves, litter, or other debris; and to keep it free and clear of obstructions or other dangerous conditions.

_____ If using public property, to return the property in the condition it was prior to the Applicant's use or better, or to reimburse the City for any loss or damage cause by the Applicant's use or vacation of the public property.

_____ In consideration of being issued a Dine Out Lincoln Permit for the temporary use, should a permit be issued, the Applicant has the authority to bind the Applicant and/or any person, business or entity benefiting from the Dine Out Lincoln Permit to the terms and conditions of this agrees to the terms and conditions of such permit as contained in this Application and any attachments herein incorporated by reference.

_____ The undersigned further agrees that all times hereafter to comply with directed health measures, all municipal ordinances, rules and regulations of the City of Lincoln and any applicable state or federal rules, regulations directed health measures, or laws.

_____	_____	_____
Printed Name of Applicant	Date	Applicant's Signature
_____	_____	_____
Printed Name of Witness	Date	Witness Signature