

## COVID-19 TEMPORARY PERMIT FOR OUTDOOR COMMERCE

This permit authorizes businesses within State College Borough to provide temporary outdoor commerce during Pennsylvania Governor Tom Wolf's Disaster Emergency Declaration for COVID-19. This is an effort by the Borough to assist businesses with reopening and economic recovery with respect to the limited occupancy and social distancing requirements of the Green Phase of the Governor's Declaration. This permit allows for businesses to expand their current permitted uses into privately owned parking spaces and other land on their parcel.

**The following conditions go into effect immediately once the permit is signed by Borough staff and returned to the Applicant:**

- This permit expires on the date the Emergency Disaster Declaration is lifted, or one year after the date issuance; whichever is earlier.
- A map and description of all dining and seating areas must be provided with this permit application. The description must indicate the capacity of the temporary commerce area, including any seating area.
- The outdoor commerce area must be operated and maintained by the business or property owner in accordance with all applicable federal, state, and local regulations.
- Any restaurant may use the additional temporary dining/seating area(s) to allow seating that meets but does not exceed standard building occupancy.
- Dining/seating must be in accordance with these conditions, including seating location and capacity, at all times. Failure to adhere to all conditions may constitute a zoning violation.
- The Borough will not issue a permit without the signature of the property owner, which signals consent to use of the property for temporary outdoor commerce.
- The property owner reserves the right to request revocation of the permit at any time by submitting a written request to the Borough.
- The Applicant has the sole responsibility of ensuring that adequate parking is retained in cases where parking spaces are to be used for temporary seating. Parking and congesting problems resulting from the temporary parking reduction may incur a violation or permit revocation.
- The Applicant has the sole responsibility of ensuring that any walkways or private sidewalks remain passable by pedestrians and remain complaint with all Americans with Disabilities Act regulations.

Permit No: \_\_\_\_\_

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<b>\$50.00 Fee (required for each zoning permit location)</b>		
Name of Business:		
Business Address:		
Hours of Operation:		
Temporary Seating Area Dimensions: (attach a map showing the location of the additional seating)		
Name of Applicant:		
Mailing Address:		
City:	State:	Zip Code:
Phone Number:		
Email Address:		
<b>*Note: Any changes to the temporary seating and/or commerce area(s) requires a new permit.*</b>		

Signature of Applicant: \_\_\_\_\_

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

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

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

Approved By: \_\_\_\_\_

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

### INDEMNITY CLAUSE

By signing above, Applicant agrees to hold harmless and indemnify the Borough of State College against any and all claims and actions existing out of the activity of outdoor dining, retail sales or other commerce area located in on private property as described in the Temporary Use Permit, including, without limitations, expenses, judgments, fines, settlement and other amounts actually and reasonably incurred in connection with any liability suit, actions, loss or damages arising or resulting from the Applicant's participation in using the Temporary Use Permit. The Indemnification shall apply to the Borough, including its elected officials, agents and employees. Applicant will provide an Insurance Certificate listing the Borough of State College as an additional insured. Applicant, in utilizing the areas described in the Temporary Use Permit, will comply with all other Ordinance requirements whether established by the Borough or the Commonwealth of Pennsylvania.

Permit No: \_\_\_\_\_

Please email this application to [ggarthe@statecollegepa.us](mailto:ggarthe@statecollegepa.us).