



**HOLD HARMLESS**

I, \_\_\_\_\_, (name of applicant) agree to indemnify and hold the City of Doral harmless and waive all claims against the City of Doral for any loss, damage, or injury of any kind or character whatsoever, sustained by any party whatsoever in connection with \_\_\_\_\_ operating an outdoor dining on City owned property.

I HAVE CAREFULLY READ THE FOREGOING HOLD HARMLESS AGREEMENT AND KNOW THE CONTENTS THEREOF AND HAVE SIGNED THIS DOCUMENT AS MY OWN FREE ACT.

I expressly agree that this Hold Harmless is intended to be as broad and as inclusive as permitted by the laws of the State of Florida, and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full force and effect.

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

State of Florida §  
County of Miami-Dade §

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_ (name of corporate officer), \_\_\_\_\_ (title), of \_\_\_\_\_ (name of corporation), a **Florida** (state of corporation) corporation, on behalf of the corporation.

WITNESS my hand  
and official seal

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
Printed, typed or stamped name of Notary  
Public exactly as commissioned

- Personally known to me, or
- Produced identification:

\_\_\_\_\_

## DIVISION 2. - SIDEWALK CAFES

### Sec. 8-40. - Purpose.

The purpose of this division is to establish conditions and requirements under which a sidewalk cafe permit will be issued for sidewalk cafes.

(Ord. No. 2005-12, § 2(1), 6-8-2005)

### Sec. 8-41. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory use* means a use that:

- (1) Is located on the same lot as the principal use;
- (2) Contributes to the comfort, convenience or necessity of the principal use; and
- (3) Does not exceed 30 percent of the gross floor area (the areas within the perimeter of the inside walls of the building/bay with no deductions for corridors, stairs, closets, thickness of wall, columns or other features, but excluding utility rooms).

*Restaurant or eating establishment* means an establishment primarily engaged in service of food where food is prepared and served for compensation for consumption on the premises.

*Sidewalk cafe* means a portion of a restaurant or eating establishment located outside of the principal building (unenclosed, consistent with guidelines established by staff policy) on a private or public sidewalk which provides a sit-down area for food and/or beverage consumption .

*Sidewalk cafe permit* means a permit issued after approval has been granted by the city based on the criteria outlined in this division.

(Ord. No. 2005-12, § 2(2), 6-8-2005)

### Sec. 8-42. - Uses permitted; permit application.

Sidewalk cafes are permitted as an accessory use to a restaurant or eating establishment. Application for a sidewalk cafe permit shall be made to the community development division. If approved, a permit for a sidewalk cafe will be issued for one year and shall be automatically renewed by the community development division if the use remains in compliance with all conditions stated herein. Such permit will not be transferable in any manner.

(Ord. No. 2005-12, § 2(3), 6-8-2005)

### Sec. 8-43. - Permit types.

Sidewalk cafes not greater than 400 square feet in area shall be approved by the city's community development director or his designee. Fees for sidewalk cafes greater than 400 square feet in area shall be paid in accordance to the fees established in the application and approved by the city manager or his designee.

(Ord. No. 2005-12, § 2(4), 6-8-2005)

Sec. 8-44. - Submittal requirements.

All site plans (including architectural plans) for sidewalk cafes shall include sketches of the following:

- (1) Existing interior floor plans;
- (2) Exterior floor plans;
- (3) Building elevations;
- (4) Setbacks;
- (5) Types of landscaping or ground covering;
- (6) Signs;
- (7) Lighting;
- (8) Location of tables, chairs and other furniture;
- (9) Pedestrian ingress and egress (clear path); and
- (10) Other information that is deemed necessary for review.

In addition, photographs, drawings, or manufacturers' brochures describing the appearance of the proposed tables, chairs, umbrellas or other objects related to the sidewalk cafe shall be provided.

(Ord. No. 2005-12, § 2(5), 6-8-2005)

Sec. 8-45. - Development standards and criteria.

In order to protect the public health, safety, convenience and general welfare of the surrounding uses, sidewalk cafes shall be subject to the following criteria:

- (1) The operations of such sidewalk cafe seating area shall be conducted in such a way as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets or sidewalks. There shall be a minimum of four feet of clear distance. The minimum four-foot requirement will be measured and maintained when chairs and tables are occupied. The sidewalk cafe dining area shall be located adjacent to the building facade, with the four-foot clear pedestrian passage provided between the dining area and the edge of the pavement;
- (2) All kitchen equipment and refuse containers used to service the sidewalk cafe shall be located inside the primary restaurant unless not enclosed under a permanent roof structure. Service counters or pass-through windows are permitted;
- (3) Required parking for the sidewalk cafe shall be calculated as one parking space for every two chairs;
- (4) The restaurant owner or operator shall be responsible for maintaining the sidewalk cafe in a clean, neat, orderly and safe condition. All debris and litter shall be removed daily. Private trash containers in the sidewalk cafe dining area are prohibited. Public sidewalk trash containers shall not be used as a means of disposing of table waste generated by restaurant consumers;
- (5) Sidewalk cafe furniture must be kept in a clean, orderly and safe condition. White plastic furniture is not permitted in sidewalk cafe areas. All other furniture is subject to staff approval consistent with established guidelines;
- (6) Restaurants may serve alcoholic beverages in the sidewalk cafe dining area provided the restaurant complies with all applicable state and local laws;
- (7) Audio/visual devices (televisions) are permitted in the sidewalk cafe dining area provided the devices are located under a permanent roof, are not visible from the public right-of-way and are not audible across property boundaries or through partitions common to two or more parties

within a building. Loudspeakers or public address systems in the sidewalk cafe dining area are prohibited for those sidewalk cafes where the principal structure abuts residentially zoned property;

- (8) One menu board or sandwich sign is allowed per restaurant and shall be limited to six square feet in area. There shall be no signage or logos displayed on umbrellas or awnings that can be seen from the public right-of-way;
- (9) The hours of operation for the sidewalk cafe shall be no greater than that of the principal restaurant and may be less as determined in the review process; and
- (10) Upon the issuance of a hurricane warning, all outdoor furniture shall be removed from the sidewalk cafe dining area.

(Ord. No. 2005-12, § 2(6), 6-8-2005)

Sec. 8-46. - Liability and insurance.

- (a) Prior to the issuance of a permit, the applicant shall provide the city with certified copies of all insurance policies providing coverage as required.
- (b) Prior to the issuance of a permit, the applicant shall furnish the city with a signed statement from an authorized officer, or legal representative, of the restaurant that the permittee shall hold harmless the city, its officers and employees and shall indemnify the city, its officers and employees for any claims for damages to property or injury to persons arising out of or in any way contributed by the use, maintenance, or operations of the restaurant. Proof of worker's compensation coverage shall also be provided.
- (c) The applicant shall furnish and maintain such public liability, food products liability, and property damage insurance from all claims and damage to property or bodily injury, including death, which may arise from the use, maintenance or operations of the sidewalk cafe dining area. Coverage shall specifically include policies of not less than \$1,000,000.00 for bodily injury, and property damage, respectively, per occurrence. Such insurance shall name as additional insured the city, its officers and employees, and shall further provide that that policy shall not terminate or be canceled prior to the completion of the permit period without 30 days' written notice to the city. Such insurance will be primary to any insurance or self-insurance, whether collectible or not, which may be available to the city, its officers or employees.
- (d) For restaurants with sidewalk cafes that serve alcoholic beverages, liquor liability insurance in the amount of \$1,000,000.00 per occurrence for bodily injury and property damage is required. The applicant shall furnish and maintain such public liability, liquor products liability, and property damage insurance from all claims and damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Coverage shall not be less than \$1,000,000.00 for bodily injury, and property damage, respectively, per occurrence. Such insurance shall be without prejudice to coverage otherwise existing therein and shall name as additional insured the city, its officers and employees, and shall further provide that that policy shall not terminate or be canceled prior to the completion of the permit period without 30 days' written notice to the city. Such insurance will be primary to any insurance or self-insurance, whether collectible or not, which may be available to the city, its officers or employees.
- (e) An endorsement must be issued as part of the policy reflecting compliance with these requirements.
- (f) All of the policies of insurance so required to be purchased and maintained shall contain a provision or endorsement that the coverage afforded shall not be canceled, materially changed or renewal refused until at least 30 calendar days' written notice has been given to the city by certified mail.
- (g) The required insurance coverage shall be issued by an insurance company duly authorized and licensed to do business in the state with the minimum qualifications, in accordance with the latest edition of A.M. Best's Insurance Guide, financial strength rating of B + to A + .

(Ord. No. 2005-12, § 2(7), 6-8-2005)

Sec. 8-47. - Revocation, suspension of permit; emergencies.

- (a) A sidewalk cafe permit may be revoked or suspended by the city manager or his designee upon a finding that a violation of the provisions of this division occurred, or the sidewalk cafe is being operated in a manner which constitutes a nuisance, that unduly impedes or restricts the movement of pedestrians or in any way contributes an undue liability. A sidewalk cafe permit shall be revoked or suspended by the city manager or his designee if a business receives three violations in a 24-month period. The revocation or suspension shall be in writing, setting forth specific reasons and providing an effective date.
- (b) A sidewalk cafe permit may be suspended by the city manager or his designee for community or special events, utility, sidewalk or road repairs, or emergency situations or violations of provisions contained herein. The length of the suspension shall be for a duration as determined by the city manager or his designee. Removal of all tables, chairs and related obstructions shall be the responsibility of the restaurant owner or operator.

(Ord. No. 2005-12, § 2(8), 6-8-2005)

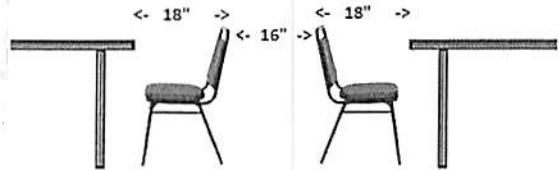
Secs. 8-48—8-59. - Reserved.

## TABLE SPACING REQUIREMENTS

### Table Spacing FAQs

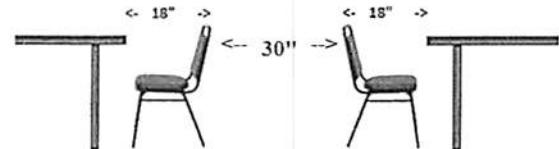
#### Minimum Space Between Rows of Rectangle Tables

The picture to the right illustrates the minimum spacing needed for rows of tables when a service aisle is not needed. 52" from table to table. 18" is allowed for each chair, and 16" is the minimum in between chairs.



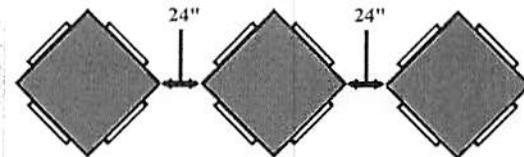
#### Spacing Rectangle Tables Incorporating a Service Aisle

For the rows you would like to incorporate a service aisle, the space needed in between rows is 66". This is 2 x 18" for the chairs, and 30" for the service aisle. The picture to the right illustrates this.



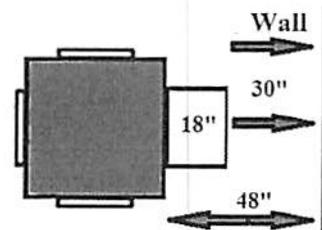
#### Diagonal Restaurant Layout with Square Tables

For diagonal style square restaurant table setup, you should leave a minimum of 24" in between corners of the tables. The picture to the right illustrates this.



#### Space Between the Wall

You should allow a minimum of 48" between the wall, and the tables along the wall. 18" from the table to the back of the seat, and 30" from the back of the seat to the wall.



\*Minimum 4 foot clearance shall be maintain for clear pedestrian passage

## STANDARD TABLE CAPACITY

### Square

- 24" Square: 2 People
- 30" Square: 4 People
- 32" Square: 4 People
- 36" Square: 4 People
- 42" Square: 8 People
- 60" Square: 8-12 People

### Rectangular

- 18 x 60 Seminar Seat 2 (1 Sided)
- 18 x 72 Seminar Seat 3 (1 Sided)
- 18 x 96 Seminar Seat 4 (1 Sided)
- 30 x 48 inch Rectangles Seat 4 People
- 30 x 72 inch Rectangles Seat 6 People
- 30 x 96 inch Rectangles Seat 8 People

### Round

- 30" Round Seat 2-3 People
- 36" Round Seat 4 People
- 42" Round Seat 5 People
- 48" Round Seat 6 People
- 54" Round Seat 7-8 People