



2012 Encroachment Permit Application for Sidewalk Cafes and Signs

Section 8-254(a): It shall be unlawful for any person to create, establish, operate, maintain or otherwise be engaged in the business of running an outdoor cafe or place any items upon the sidewalks or public property in the City unless he shall hold a currently valid permit issued under the terms of this article.

Business Name _____

Physical Address _____

Mailing Address _____

Applicant Name (first, middle, last) Telephone Number _____

Date of Birth _____

Email _____

Emergency Contact and Title _____

Telephone Number _____

2. City Business License Number: _____ Business Capacity: _____

3. Ownership: Sole Proprietorship Partnership Corporation: _____ ABC License
State

4. Insurance Information: Company _____ Phone # _____

Policy # _____ Expiration Date: _____

5. Encroachment Requests: Renewal New

Sign Number ____ Size ____" x ____"

Tables Number ____ Size ____" x ____"

Chairs Number ____ Size ____" x ____"

Umbrellas Number ____ Size ____" x ____"

Displays Number ____ Size ____" x ____"

Cafe extends in front of adjacent business

Adjacent property owner's letter of permission is included

4. Your application will not be processed unless the following 5 items are attached:

_____ A sketch of the proposed layout, drawn to scale or with dimensions, showing the existing public area, private property and layout of the encroachment.

_____ A Certificate of Insurance listing the City of Greenville as additional insured for at least \$300,000. The insurance shall list the City as additional insured, and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advanced written notice to the City.

_____ A copy of the City Business License.

_____ A copy of the ABC License (if alcohol will be served in the encroachment).

_____ A copy of the Health Permit (if food is being served in the encroachment).

5. Please check the one that applies to you.

The permit fees for encroachments for **ONE YEAR** are:

_____ **\$50** for a sign encroachment only

_____ **\$150** for a dining encroachment **less than 500 square feet** - includes sign

_____ **\$250** for dining encroachments **over 500 square feet** - includes sign

Any checks submitted to the City must list a valid South Carolina Driver's License number.

I certify that all the statements and information provided in this application are true and accurate, to the best of my knowledge. If approved, I understand that the Encroachment Permit is a temporary license which can be denied, suspended or revoked for any conduct which is contrary to the provisions of this section or if business is conducted in such a manner as to create a public nuisance, or to constitute a danger to the operator's or the public's health, safety, or welfare. No property right is created by this permit and the any decision of the City Manager related to this permit shall be final.

I UNDERSTAND THIS APPLICATION WILL BE RETURNED IF IT IS NOT FULLY COMPLETED, INCLUDING ALL ITEMS IN SECTION 4 ABOVE.

Signature of Applicant

Date

Please return to:

Will Young, PO Box 2207, Greenville, SC 29602 or bring application to 1st floor, City Hall, 206 S. Main St. Greenville, SC 29602. Applications can also be faxed to 864-467-6626. Applications can also be scanned and emailed to wyoung@greenville.gov

If you have any questions, please call 864-467-4484, or email at wyoung@greenville.gov.



Sidewalk Dining and Signage Encroachment Permits in the Central Business District

The City of Greenville supports the public use and enjoyment of our beautiful tree lined sidewalks. In fact, we designed them to accommodate an abundance of pedestrian activity. We encourage the outside dining and other beautification items that you display in front of your storefronts, as it enhances, promotes, and individualizes the Central Business District.

These sidewalks are public property, to be used by the general public. In most cases, we have been able to work with you to allow your business to encroach onto the sidewalk (with a sign or outside dining) and yet still provide enough access for pedestrians. Because downtown is becoming increasingly more active, there are more people on the sidewalks. Therefore, we must provide for the safety of pedestrians.

We want to take this opportunity to remind you of the encroachment regulations. It is your responsibility to know these regulations and to relay them to your customers so that you can avoid any problems or conflicts.

1. You must provide a minimum 6-foot access at all times. This needs to be a clear access for pedestrians to walk through free of signs, tables, chairs, planters, tree, etc. Let your customers know that they need to be considerate of the sidewalk access. They may not pull up an extra chair or join tables together if it restricts the 6' access. If your customers are waiting in the encroachment area for a table or for other guests, let them know that the sidewalks must be accessible for pedestrians. Please set up tables, chairs, signs, etc. so that this minimum access can be maintained.
2. Encroachment areas may not extend beyond the sidewalk frontage of your storefront unless the adjacent property owner gives you (and the City) written permission.
3. Signs in the encroachment area must be free-standing and movable. The sign face shall not exceed nineteen and a half square feet in area. The sign height shall not exceed six and a half feet, measured vertically from the ground to the top of the sign, nor three feet in width measured from its widest points. No sign shall contain or display any advertising except for the name and or logo of the licensed business (no corporate logos ex. Pepsi/ Budweiser).
4. The placement of benches is not allowed in a restaurant's encroachment area because they continue to confuse customers who attempt to consume alcoholic beverages while waiting for a table. Enforcement of the City's open container ordinance becomes a problem as customers inadvertently wander off or stand in encroachment areas where alcoholic beverages are offered for sale.
5. Upon approval, displays may be allowed in encroachment areas. The display's height shall not exceed six and a half feet, measured vertically from the ground to the top of the display, nor three feet in width measured from its widest points. A minimum 6-foot access must be provided at all times. Displays must be free-standing and movable. No advertising other than that of the name or logo of the business is allowed on the display. Examples of these displays would be mannequins, signs, or display models. These displays must be parallel with the store wall and sidewalk. Merchandise can be for display only. There can be no boxes or sale racks. A sketch or drawing of the encroachment area with the display must be included with the encroachment application. A photo of the display also must be included with the encroachment application.

6. The South Carolina Alcohol and Beverage Commission (ABC) has ruled that any mixed drinks or hard liquor must be served within your premises and are not allowed in the encroachment areas. Beer and wine are allowed, but your customers must be seated at tables in order to receive service. It is your responsibility to let your customers know that they may not stand outside with a drink while waiting on a table, guests, or simply to socialize. This is a violation of the open container law and can result in you or your customers being ticketed and can jeopardize your ABC license and encroachment permit. Please educate your staff so that they can let your customers know.
7. During a special event, if your business is not directly in front of a street closed for the event, your patrons must be seated at a table within your encroachment area in order to consume beer and wine.
8. It is the responsibility of the business obtaining the encroachment permit to maintain insurance that is acceptable to the City. All changes, updates, or amendments to the insurance policy must be sent annually to the City to verify insurance coverage.
9. In an effort to create a more unified look for downtown encroachment areas the City of Greenville is requiring all umbrellas to be of solid color and free of corporate names and logos. The name of the establishment is permitted.
 - a. Umbrellas must maintain a minimum canopy height of seven (7) feet.
 - b. No portion of an umbrella shall encroach on the 6 foot access area. This includes bending the arm of the umbrella to block sun.
 - c. No umbrella shall contain or display any advertising except for the name and or logo of the licensed business (no corporate logos ex. Pepsi/ Budweiser).
10. Smoking is prohibited in all encroachment areas. It is your responsibility to let your customers know that they may not smoke in any encroachment area. Smoking is permitted at least 10 feet away from your encroachment area.
11. All dining encroachments must attend festival/event wristband training at the date and time provided by the city. A manager and/or staff (waiter, on-duty manager) must be in attendance for this meeting. All dining encroachments will be notified of this training when their encroachment permit is approved.

Signature



Date