



**Town of Ocean City, MD**  
**PERMIT APPLICATION**  
**TEMPORARY USE/CLOSURE OF PUBLIC WAY FOR**  
**OUTDOOR TABLE SERVICE**

Submit by Email: [crisisapplication@oceancitymd.gov](mailto:crisisapplication@oceancitymd.gov)  
Information: 410.289.8855

**Applicant:** \_\_\_\_\_ **Title:** \_\_\_\_\_  
**Restaurant:** \_\_\_\_\_ **Email:** \_\_\_\_\_  
**Address:** \_\_\_\_\_ **Phone:** \_\_\_\_\_  
**City, Zip** \_\_\_\_\_

**Date(s)/Times of Requested Closure:** \_\_\_\_\_

**Roadway:** \_\_\_\_\_ **from** \_\_\_\_\_ **to** \_\_\_\_\_

**Sidewalk or other Public Property:** \_\_\_\_\_ **from** \_\_\_\_\_ **to** \_\_\_\_\_

**Detailed Site Plan Shall be Included (attached) to this Permit Application**

General Application Requirements

(All permit communication will be through email, and a valid email address is required to accompany each application)

1. Complete Application Form for Outdoor Table Service in the public right of way.
2. Original Signed License Agreement.
3. Copy of private Insurance Policy with Town of Ocean City, MD named as additional insured.
4. Notification of adjacent property owners or tenants
5. A detailed site plan to be submitted and approved as part of this application. Site plan must include:
  - a. Proposed seating, perimeter controls, vehicle protection measures, and signage
  - b. Fire Hydrants, Fire Lanes, Building Exits, Building Fire Department Connections and appropriate clearances
  - c. Effected parking, roadway, sidewalks, other misc. public ways.
  - d. Adjacent Businesses, Road Access, Driveway Access
  - e. Conformance with related guidelines for Temporary Outdoor Seating
6. Approval of application by the Mayor and City Council\*

\* Permit approval is temporary for a period of up to 6 months, or until rescinded by the Mayor and City Council. All temporary permit applications will be re-evaluated by Town Staff at such time as indoor dining restrictions greater than 51% occupancy are lifted by the Governor of Maryland.

**TOWN OF OCEAN CITY PERMIT FOR TEMPORARY CLOSURE OF OCEAN CITY PUBLIC WAY**

Pursuant to the powers and rights of the Mayor and City Council of Ocean City, Maryland (the “Town”), including but not limited to, Sections 414 and 1102 of the Charter of the Town of Ocean City, as amended, permission to temporarily close the above roadway/public way is hereby granted to the “Applicant” on **the above date(s)/time(s)** for the purpose of outdoor table service (collectively, the “Permit”). **This Permit shall not be effective or enforceable until it is signed by both the Town and the Permittee.**

**All road closures shall be subject to the approval and requirements of the Fire Marshal, Health Department and Board License Commissioners.**

The Permittee hereby understands and agrees that it shall keep this Permit on the Permittee’s work site at all times when any type of work is in progress. If an extension or any additions to this Permit are desired, the Permittee must contact Carter Finney, Zoning Analyst, Town of Ocean City Department of Planning and Community Development at (410) 289-8855 to obtain a new permit from the Town.

The Permittee hereby understands and agrees that it shall be the Permittee’s sole responsibility to: (a) to comply with all federal, state, and local laws, and emergency orders; (b) leave any Town right-of-way, easement, road and/or property in a neat and clean condition, as determined in the Town’s sole discretion and maintain the property in neat and clean condition when it is in use; and (c) remove all property from any Town right-of-way, easement, road and/or property when the permit expires.

The Permittee agrees to indemnify, hold harmless and defend the Town, its agents, officials, officers and employees, from and against any and all damages to persons or property for liability or claims that may accrue as a result of the issuance of this permit and presence on the permitted property, including compensatory or punitive damages, court costs, and attorney's fees. Permittee shall maintain sufficient insurance coverage for any liability or damages accruing as a result of the issuance of this permit. Permittee shall name the Town as an additional insured under said insurance policy.

The permittee must comply with all other applicable laws and regulations of the State and the Town as a licensed restaurant, including but not limited to sale and consumption of alcoholic beverages.

Mayor and City Council of Ocean City, Maryland

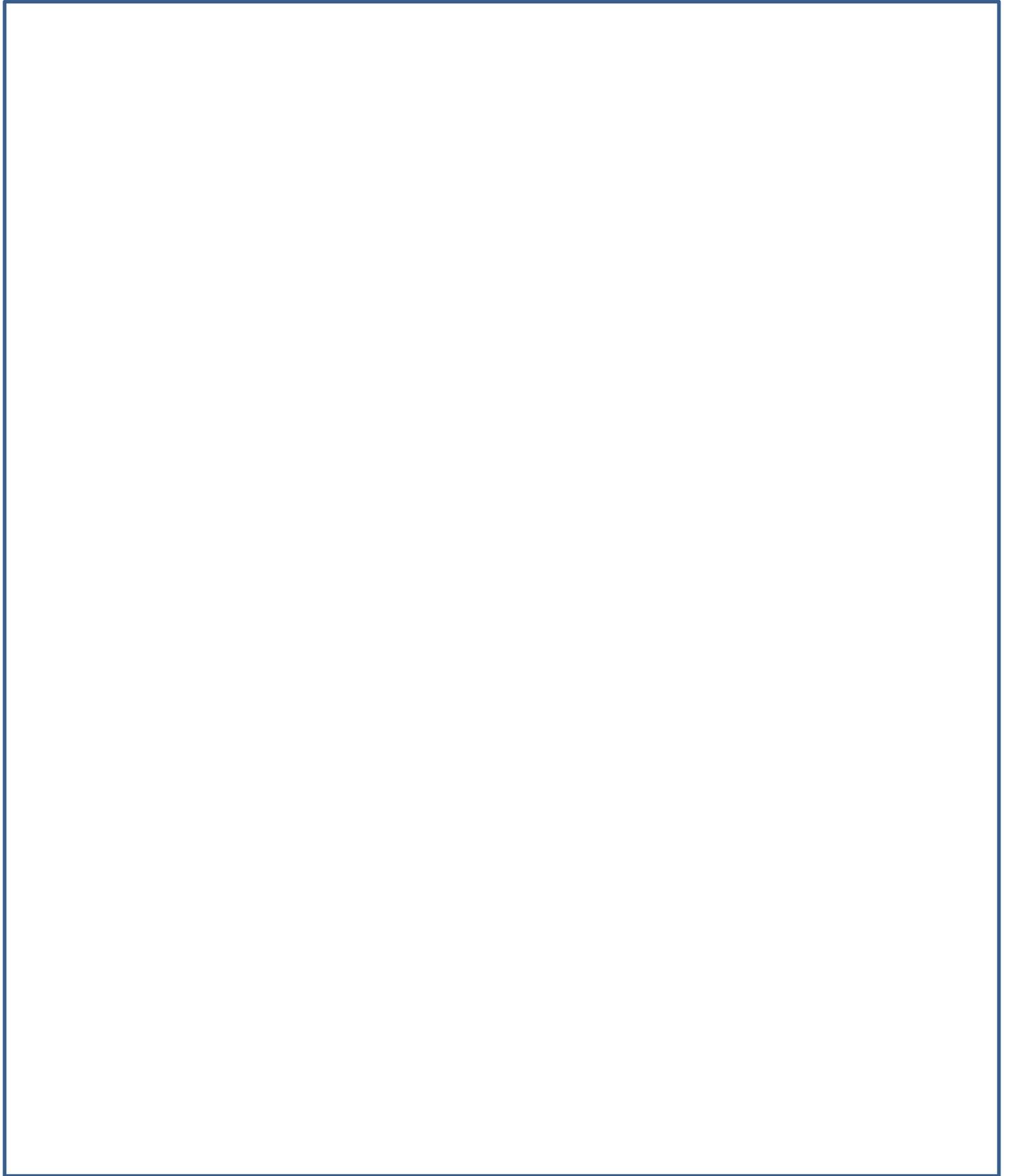
BY: \_\_\_\_\_  
Douglas R. Miller, City Manager

**ACKNOWLEDGED AND AGREED BY:**

Type Name: \_\_\_\_\_

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

cc:



## PERMIT APPLICATION – TEMPORARY USE OF PUBLIC WAY FOR OUTDOOR TABLE SERVICE

Below are requirements that would have to be met to allow for outdoor dining on public property, site specific requirements may be added

1. All requirements contained in current Executive Orders from the Governor's Office shall be maintained in strict compliance by the applicant.
2. All establishments are to follow current CDC & State guidelines for management and operations including physical distancing, face coverings, and hygiene for retail, food service and bar establishments.
3. Under no circumstance should alcohol be allowed on the Beach or Boardwalk.
4. Under no circumstance should any commerce be allowed on the Beach other than that allowed as part of an authorized franchise.
5. Outdoor dining expansion areas on a public sidewalk may only be allowed when closing a sidewalk does not create an access issue that would result in an ADA violation and when access to adjacent properties is not obstructed.
6. Under no circumstance should a travel portion of a roadway be used for outdoor dining expansion areas unless a road closure is approved by the Mayor and City Council. There may be partial closure of existing street parking areas adjacent to the business only (maximum 9' for parallel and 18' for perpendicular) subject to safety protection measures.
7. Outdoor Dining may cause parking and noise conflicts with residential areas. It should be noted that the Liquor Board has an earlier closing time for outdoor dining due to this potential conflict with neighboring properties.
8. Use of certain public streets (parking spaces) or sidewalks for outdoor dining may not be eligible because of high traffic volumes on through streets.
9. The owner of the business that is allowed to have an outdoor dining expansion area must have insurance coverage that includes the Town as an additional insured as well as completion of the signed License Agreement.
10. Fire lanes and hydrant connections must be maintained at all times.
11. All private property (tables, chairs, umbrellas, etc.) must be removed from public property once the business closes each night.
12. Access to trash dumpsters must be maintained.
13. A minimum vehicle barricade system/traffic barrier for any use of public street pavement must be approved by the Town.
14. Business deliveries for the business and neighboring businesses must not be impeded.
15. The Liquor Board and Health Department may have requirements of their own which are not reflected in this memorandum.

Approval of the temporary Town of Ocean City permit is conditioned on meeting site specific requirements of all review agencies including the following:

- a) Commercial use of the Beach/Boardwalk for outdoor dining or consumption of alcohol will not be approved.
- b) No paint markings are to be placed on Town Roads or Sidewalks
- c) It shall be your responsibility to provide the necessary lights, barricades, and signs for the safety of the traveling public.
- d) Traffic Barriers shall be precast concrete Type F barriers (MSHA standard 104.01.53) with a minimum 2 each 8" x 12" yellow reflectors on each barricade facing traffic. Proprietary sand or water filled jersey style plastic crash barricades may be substituted for concrete but must be submitted to the City for approval. Barriers shall be placed at any locations subject to on coming vehicular traffic as directed by the city.
- e) All outdoor dining materials, including but not limited to tables, chairs, umbrellas, etc. shall be removed from the site at the end of each day.
- f) Outdoor areas where alcoholic beverages are served or consumed must close the earlier of 10:00 PM (Sunday-Thursday) / 11:00 PM (Friday and Saturday) unless required to close earlier by the Board of License Commissioners.
- g) No outside music or sound system shall be permitted in the temporary outdoor seating area.
- h) Shall it be determined by the Mayor and City Council, or the Board of License Commissioners, that the operation has failed to abide by the required criteria, or that it is detrimental to the health, safety and welfare of the neighborhood, the Mayor and City Council, or the Board of License Commissioners shall have the right to alter, suspend, or revoke the right to have outdoor seating under this permit.