

# LFUCG TEMPORARY EXPANSION INTO PARK PERMIT APPLICATION

LFUCG may allow the expansion of selected portions of an outdoor eating area or retail into an adjacent park for restaurants or retail businesses to provide additional space for seating or retail. This application shall be used by a restaurant or retail business to request temporary expansion into an adjacent park. In the interest of public safety, these expansions must be reviewed and approved by the LFUCG before use of the park is permitted.

It is the responsibility of the businesses along the street to activate these spaces with temporary materials. Maintenance and daily upkeep associated with business operations will be the responsibility of the businesses.

**NAME OF PARK REQUESTED FOR TEMPORARY EXPANSION:** \_\_\_\_\_

- \*Scheduled events may impact the availability of space
- \*No cooking shall be allowed on Park property
- \*Provide a map indicating expansion boundaries
- \*Use of park utilities will not be allowed
- \*Parks will remain open to the public for regular use

**REQUESTED EXPANSION DATE(S):** \_\_\_\_\_

## PRIMARY CONTACT: (name of individual or group responsible for closure activities)

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

Business or Organization Name \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Night Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## SECONDARY CONTACT: (additional individual or group responsible for closure activities)

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

Business or Organization Name \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Night Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## OPERATIONS & MAINTENANCE PLAN:

Describe the business's plan for use of the adjacent park:

A. Submit a plan illustrating the business' intended layout within the temporary expansion. *Include dimensions and indicate required social distancing spacing, ADA compliant walk zones, defined boundaries of each business, desired lighting, and any physical barriers planned for public safety. Ensure layouts refrain from blocking fire hydrants.*

B. Describe the business' plan for garbage collection within the special recovery district:

C. Describe the business' methods to enforce social distancing requirements:

D: Describe the business' plan for expansion into the park. What type of physical barrier will be used to enclose the area. *For example, jersey barrier, temp fence, etc.*

E: Has your expanded business footprint been approved by the Health Department, if applicable?

F: Has your expanded business footprint been approved by the Alcoholic Beverage Control (ABC), if applicable?

G: Do you plan to use tents within the expanded area? If so, have you obtained a permit?

\*Tent stakes are not allowed in parks.

H: Please describe any equipment/furniture that will be used on the park and how this will be stored nightly.

**APPLICATION AGREEMENT:**

- 1) **INSURANCE:** The applicant must possess liability insurance in the minimum amount of \$1,000,000.00 per occurrence, covering the expanded location and naming the Lexington-Fayette Urban County Government as an additional insured, which cannot be terminated or cancelled without thirty (30) days notice to the Government for use of public sidewalks, on-street parking; or public streets closed to motor vehicle traffic; and
- 2) **DAMAGES:** The applicant must assume responsibility for any and all damage to public property that occurs within the retail business' or restaurant's use of additional outdoor space; and
- 3) **MAINTENANCE:** The applicant must regularly pick up, remove, and dispose of all trash or refuse left by the business or its patrons in its additional outdoor space; and
- 4) **SMOKING:** The applicant must prohibit smoking in the retail business' or restaurant's additional outdoor space; and
- 5) **COMPLIANCE:** The applicant must agree that the Lexington-Fayette Urban County Government reserves the right to require removal of facilities not in compliance with Ordinance , other existing ordinances for which enforcement has not been suspended under this Ordinance, or state or federal law. Applicant must otherwise comply with the requirements of local, state, and federal law, including, but not limited to, the Americans with Disabilities Act, state and local Alcohol Beverage Control regulations, health department regulations, local ordinances for which enforcement was not suspended under this ordinance, and Executive Orders and business opening requirements issued by Governor Beshear.
- 6) **TIMEFRAME:** Applicant must agree that all facilities placed for use by retail businesses and restaurants in accordance with this Ordinance must be temporary in nature and shall be removed upon expiration or termination of this Ordinance.

<p>Signature and title of applicant: _____</p> <p>Date: _____</p>
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Submit completed application, plans, and any other supporting materials to the Division of Parks and Recreation

Return to:  
 Office of the Mayor  
 Attn: Brandi Peacher  
 200 E. Main St  
 Lexington, KY 40507

or email to: [bpeacher@lexingtonky.gov](mailto:bpeacher@lexingtonky.gov)

Please check boxes to ensure you have completed and enclosed all required materials:

- Completed application
- Certificates of Insurance
- Diagram/Plan for Closure and Restaurant/Retail Layout