



**CONNECTICUT DEPARTMENT OF TRANSPORTATION**  
**Application for Permit to Allow Outdoor Dining/Seating or Other**  
**“Outdoor Activities” Permitted by Executive Order**  
**of the Governor in the State Highway Right-of-Way**

**Subject to Executive Order Suspending CGS 13b-17(b) and Associated Regulations (5/20)**

Establishment Name \_\_\_\_\_ (Establishment)

Address of Establishment \_\_\_\_\_

Legal Name of Establishment Owner \_\_\_\_\_ **(PERMITTEE)**

Address of Establishment Owner \_\_\_\_\_

Type of Establishment (*e.g.*, Restaurant, Café, Retail, etc.) \_\_\_\_\_

I understand that any outdoor dining/seating or other Outdoor Activities (as defined and permitted by Executive Order of Governor Lamont) within the State highway right-of-way is subject to the following terms and conditions, and failure to abide by all these conditions will cause the permit to be immediately revoked upon verbal notification by the Connecticut State Department of Transportation (Department).

As the **PERMITTEE** I agree:

1. To not use any paved portion of the State highway right-of-way (“highway right-of-way”) designated for vehicular travel or on-street parking for outdoor dining/seating or other Outdoor Activities unless the State highway has been officially closed for vehicular use by the Department.
2. To only use the highway right-of-way to the extent of the Establishment’s frontage on the State highway, unless the Establishment has written permission of the abutting property owner and/or the abutting business owner, as necessary.
3. To accept the premises in the highway right-of-way as is and subject to all restrictions, easements and matters of record.
3. To make no alterations to the highway right-of-way without the express written permission of the Transportation District Maintenance Special Services Section Manager.
4. To obtain and provide a copy of prior written approval and approved site plan for outdoor dining/seating or other Outdoor Activities from the Town in which the Establishment is situated, and to fully comply with any conditions or requirements of said Town. To the extent that the Town needs prior approval from the Department, any Permit for Outdoor Dining/Seating or Other Outdoor Activities in the state right-of-way will be null and void until such Town approval is received and provided to the Department.

5. To keep any sidewalks clear at all times for pedestrian traffic.
6. To comply with all requirements of the Americans with Disabilities Act as it relates to the highway right-of-way.
7. To use the premises in the highway right-of-way solely for outdoor dining/seating or other Outdoor Activities and for no other purpose unless specifically approved in writing.
8. To not erect signs or advertisements in the highway right-of-way except for “COVID-19 signage” as permitted by Executive Order.
9. To conduct activities in the highway right-of-way in a safe and professional manner, and to comply with all Department conditions for the safety of the traveling public.
10. To comply and be consistent with all of Governor Lamont’s Executive Orders issued on or after March 10, 2020, as amended from time to time.
12. To remove all tables, chairs and other furnishings and accessories from the highway right-of-way at the end of each workday and whenever the Establishment is not in operation.
13. To maintain on the Establishment’s premises a signed copy of the approved Department permit.
14. To not use sound or voice amplification equipment unless permitted by the Town.
15. To abide by all State and Federal rules and regulations governing the use of the highway right-of-way.
16. To allow the Department to inspect the use of the state right-of-way at any time.
17. To indemnify, defend and hold harmless the Department, the State of Connecticut, its officers, representatives, agents, servants, employees, successors and assigns, for any such injury, damage, or loss that may be incurred, either directly, or as a result of said activities, and to reimburse the Department for any expenses incurred due to the performance of any activities undertaken under the terms of the permit.
18. To assume any and all liability for injury, damage or loss, including, but not limited to, injury, damage, or loss to the Department, the State of Connecticut, its property, its officers, representatives, agents, servants, employees, agents, contractors, licensees, invitees and successors and assigns, resulting directly or indirectly from the **PERMITTEE’S** activities.
19. To secure and maintain for the duration of the permit, with the Department being named as an additional insured and the policy waiving any subrogation against the Department or State of Connecticut, the following minimum liability insurance coverage at no cost to the Department. In the event the **PERMITTEE** secures excess/umbrella liability insurance to meet the minimum requirements specified below, the Department shall be named as an additional insured.
  - a. Commercial General Liability Insurance, including contractual liability insurance, providing for a total limit of no less than One Million Dollars (\$1,000,000) for all damages arising out of bodily injuries to or death of all persons in any one

accident or occurrence, and for all damages arising out of injury to or destruction of property in any one accident or occurrence, and, subject to that limit per accident, a total (or aggregate) limit of Two Million (\$2,000,000) for all damages arising out of bodily injuries to or death of all persons in all accidents or occurrences and out of injury to or destruction of property during the policy period.

- b. For any establishment with a liquor permit issued pursuant to Title 30 of the Connecticut General Statutes, Liquor Liability Insurance with a total limit of no less than One Million Dollars (\$1,000,000) for all damages arising out of bodily injury or property damage caused by an intoxicated person who was served liquor by the policyholder.
- c. In conjunction with the above, **PERMITTEE** agrees to furnish to the Department a Certificates of Insurance on the form(s) acceptable to the Department, fully executed by an insurance company or companies satisfactory to the Department, for the insurance policy or policies required hereinabove, which policy or policies shall be in accordance with the terms of said Certificate of Insurance.

20. Any Department Permit for outdoor dining/seating or other Outdoor Activities will be null and void unless approval from the Town in which the Establishment is located is received and remains operative.

***Additional Information:***

- The Department is authorized to temporarily suspend the permit without incurring liability for any reason, including but not limited to the need to perform maintenance and/or construction as required within the limits of the assigned location.
- The Department retains full authority to revoke the permit without notice as it deems necessary or if the **PERMITTEE** fails to comply with any conditions of the permit, or for any public purpose, without liability to the Department.
- The permit is not assignable or transferable, either in whole or in part.
- The permit will automatically expire upon the termination of any Executive Order issued by Governor Lamont to permit the Department to authorize outdoor dining/seating within the State's highway right-of-way.

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Establishment Name and Address (Establishment)

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Applicant – Print Name

Phone/Email Address

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Relationship of Applicant to Establishment Owner

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Legal Name of Establishment Owner (**PERMITTEE**)

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Applicant’s Signature

Date

**Complete and email application to CTDOTCOVIDOPS@ct.gov with the Town and the name of the Establishment in the subject line (e.g., Guilford – XYZ Pizza).**

**For Department of Transportation Use Only:**

Town Approval and Site Plan: \_\_\_\_\_ Received \_\_\_\_\_ Still Expected

Insurance certificates received:

\_\_\_\_\_ Commercial General Liability with \$1million/\$2million

\_\_\_\_\_ Liquor Liability with \$1million

\_\_\_\_\_ State DOT listed as additional insured with waiver of subrogation box checked

\_\_\_\_\_ Permission from abutting property/business owner (if necessary for ¶2 of Permit)

**PERMIT:**

\_\_\_\_\_ Approved

\_\_\_\_\_ Denied

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Print Name

Title

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Signature

Date