

**CITY OF FRANKLIN – APPLICATION FOR LIMITED EXCEPTION PERMIT**

**For Year:** \_\_\_\_\_

**Applicant Information**

PLCB License Holder: \_\_\_\_\_

Contact Name (person): \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

PA License Number: \_\_\_\_\_ (Provide Copy)

Type of License Held:

<input type="checkbox"/>	R License (Restaurant)	<input type="checkbox"/>	AL License (Limited Distillery)
<input type="checkbox"/>	E License (Eating Place)	<input type="checkbox"/>	G License (Brewery)
<input type="checkbox"/>	H License (Hotel)	<input type="checkbox"/>	C License (Club)
<input type="checkbox"/>	LK License (Limited Winery)	<input type="checkbox"/>	CC License (Catering Club)

Business Name (Sales Location in Franklin): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Franklin Mercantile License #: \_\_\_\_\_

**Property Owner(s) Information (if different from Applicant)**

Property Owner: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Is property owner aware of this application? \_\_\_\_\_

**City of Franklin Application for Limited Exception Permit**

**Regulations. (Refer also to Article 703 of the Codified Ordinances of the City of Franklin).**

Each limited exception permittee herewith acknowledges and complies with the following requirements:

- (1) This permit is only valid from January 1 through December 31 for the year of issuance, on Thursdays, Fridays and Saturdays from 11:00 AM until 5:00 PM, except on any day when a parade or event is scheduled during the time frame set forth herein (i.e., Applefest, Witch Walk, Wine Walk, etc.).
- (2) For purposes of the limited exception permit, all alcoholic beverages distributed or sold must be done so using a recognizable, designated cup produced and distributed, as approved by the City Manager and the Chief of Police. All brewed or malt beverages sold, distributed, possessed and consumed shall be in an approved cup no larger than sixteen (16) oz. All other alcoholic beverages sold, distributed, possessed and consumed shall be in an approved cup no larger than twelve (12) oz. Absolutely NO other type of container may be used under this permit.
- (3) No other street or outside vendor shall be allowed under any and all circumstances, with the exception of curbside sales permitted, and must be in compliance with the PA Liquor Code and shall be in compliance with Article 912 of the Codified Ordinances of the City of Franklin concerning sidewalk cafes.

- (4) No permit shall be issued prior to an in-person meeting with the City Manager and the Chief of Police for the purpose of reviewing the rules and regulations, the type of alcoholic beverages to be sold, and to address any and all security concerns.
- (5) The permittee shall provide the City with a certificate of insurance which will protect the permittee and the City from claims for damages for personal injury, including accidental death, as well as claims for property damages, which may arise from the possession, distribution, sale or consumption of alcoholic beverages under this limited exception. The amount of such insurance shall include public liability insurance in an amount of not less than \$1,000,000 for injuries, including accidental death, to any one (1) person, and property damage insurance in an amount of not less than \$1,000,000. The certificate of insurance shall name the City of Franklin as an Additional Insured, and shall be provided by a company authorized to do business in Pennsylvania and is acceptable to the City.
- (6) Each person consuming alcohol or possessing the approved cup must be of legal drinking age and shall only occur within the designated area.
- (7) Open containers as described may only be served or distributed by an individual or entity with a valid liquor license in the Commonwealth of Pennsylvania.
- (8) Only beverages that are Fifteen Percent (15%) or less alcohol by volume (ABV) may be publicly consumed or served in the approved cup and only one (1) alcoholic beverage can be consumed at a time by a person.
- (9) No permit shall be issued to any person or entity who has failed on a previous occasion to comply with the conditions, rules, and regulations of Article 703 of the Codified Ordinances of the City of Franklin.

**Certification, Hold Harmless Agreement, and Release**

I certify the information contained in this application and other materials submitted in the course of my application for a Limited Exception Permit to be true and correct to the best of my knowledge.

I acknowledge that I have read and consent to the terms and conditions of Article 703.04 of the Codified Ordinances of the City of Franklin, some of which are stated under Regulations section of this application. I understand that the City of Franklin may revoke Limited Exception permits and impose fines for violations of the terms of the ordinance. I understand that permits are annual and are not transferable and that ownership, operation, or location require reapplication for a yearly permit.

I agree to defend, indemnify, and hold harmless the City of Franklin, its officers, employees, and agents from and against any and all loss resulting from injury to, or death to, persons or damages to property arising out of, resulting from, or in any manner caused by the sale and consumption of alcohol, under this limited exception permit, or by the acts or omissions of the employees or agents of the permit holder in connection with such care.

I agree to release the City of Franklin from any and all claims relating to the limited exception of the City's Open Container Act, as amended, including, but not limited to, loss of business and/or value, if this permit is revoked under the rules of Article 703.04 of the Codified Ordinances.

I agree to obtain and maintain an insurance policy naming the City of Franklin as an Additional Insured as required by Article 703.04(j)(1).

Authorized Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Applicant Checklist**

The following materials must be submitted with this application:

- Check for \$100.00 Application Fee, made out to City of Franklin
- Insurance Certificate naming City of Franklin an Additional Insured with coverage of \$1,000,000, as described in (5) above.
- Copy of PA Liquor License