

Policy Name:

Proposal to permit erection of awning for food operators at premises

Objective:

To regulate the erection of awning in public places by food shop operators

Guidelines for Temporary Structure Dimensions

1. Front of Premises
2. Shop lots Adjacent to pedestrian mall / Hardstand area
3. Corner Lot

Length: Recommended standard

- i. 1 meter protruding out (shop lots that near to the road i.e. less than 2 meter)
- ii. 2 meters protruding out (shop lots located that 4 meters away from the road)
- iii. Any deviation from the above will be assess on case to case basic

Guidelines for Application of Temporary Structure (Awning)

1. All temporary structure / awnings must be applied and submitted to Council for approval using specified form from Enforcement Section MDDM
2. The proposed structure (awning) must be safe, not blocking traffic flow for any road users
3. Public safety liability is the owner's/ tenant's responsibilities.
4. Notwithstanding the approval given by the Council and without prejudice to other government agencies, the Council reserve the complete discretion / power to order the awning to be dismantled (without any cost to Council).
5. To pay processing fee RM50.00 per application

In addition to the above, it is proposed that the council also impose the following conditions:

- a. To sign letter of undertaking to remove the awning at his own cost and expenses within 1 week upon receipt of a notice or such period as may be specified in the notice, the state government or any other government agency requiring the Permit Holder to do the same and that by doing so the permit holder shall forfeit all rights to claim for any loss, damage or injury he may suffer as a result thereof
- b. To maintain the awning in safe condition at all time
- c. To pay a refundable deposit at a minimum sum of RM1,000.00 per shoplot or at a rate of RM1.00 per square foot whichever is higher.

TEMPORARY STRUCTURE (AWNING) APPLICATION FORM

Reference No.

Applicant name: I.C. No.....

Property owner name: I.C. No.....

Correspondance Address:..... Telephone No.....

A. Type of application:

New Existing Renewal Other:.....

B. Locality:

Commercial :mall / five footway / roadside

Sketch plan: To show location of site, plan, elevation and section

C. Declaration and consent from property owner and / or applicant

I/We am/are the owner(s) and tenants of the above property and hereby give my/our consent to the tenants for the said application. Subsequently, I/We shall be jointly responsible and liable and shall indemnify the Dalat and Mukah District Council or his/her personnel against any claim, suit, actions or demands made against the Council by any member of the public for any damage or injury caused by the said structure, in consequence of or attributable to any act, omission, neglect or default by us, our employees, workers, staffs or agents.

I/We hereby undertake to remove the structures at my/our own cost and expenses within 1 week upon receipt of a notice or such period as may be specified in the notice, the state government or any other government agency requiring me/us to do the same and that by doing so I/We shall forfeit all rights to claim for any loss, damage or injury I/We may suffer as a result thereof.

I/We understand and shall abide to the conditions as stated overleaf.

Applicant's Signature;..... Owner's Signature

Applicant Name:..... Property Owner Name:.....

I.C. No..... I.C. No.....

Date:..... Date:.....

Checklist:

- Application form
- 2 sets of sketch plan
- Processing Fee @ RM 50.00 per application
- Refundable deposit - (Deposit rate of RM1,000.00/shoplot/application or RM1.00/ft² whichever is higher)
- Extract of title/ S&P Agreement / tenancy agreement and to be certified true copy
- Public Liability insurance with minimum **sum insured RM500,000.00**
- SPA Approval