



Sidewalk Cafe Permit Application Form

PA-18
APPLICATION

Community Development Department

501 N. Anderson, Ellensburg, WA 98926

(509) 962-7239 (Building) permits@ellensburgwa.gov (509) 962-7231 (Planning) comdev@ellensburgwa.gov

A sidewalk café permit ("sidewalk use permit") is required for use of a limited portion of city sidewalk area for the service of food and beverage ("sidewalk service area") as an extension of the applicant's business fronting directly upon said sidewalk. The sidewalk use permit allows for the placement of tables and chairs only, and related barriers when required in conjunction with the service of alcoholic beverages. The annual fee is \$25 per table authorized and the 12.84% leasehold excise tax.

Staff review of a Sidewalk Café application will be completed within 30 days of receipt of a complete application and include review by other city departments and the fire marshal as appropriate. The director may extend the review period when reasonably necessary because additional information is required from the applicant and may issue the sidewalk café permit with any conditions necessary that are consistent with the requirements of ECC 4.14A or any other local or state law. The sidewalk use permit is temporary in nature, only, and is not a grant for any use of the City's right-of-way beyond the term of the permit.

Contact the Community Development Department on the first floor of City Hall or telephone (509) 962-7231 for information or help with completing the permit application.

OFFICIAL USE ONLY:

Staff
Person:

Date
Submitted:

FILE #:

BUSINESS INFORMATION:

Business Name:		Business Phone #:	
Business Address:		Contact #:	
Mailing Address:		E-mail:	

CONTACT PERSON: ☐ Owner ☐ Tenant ☐ Other

Name:		Phone #:	
Mailing Address:			
E-mail:		Cell #:	

PROJECT INFORMATION:

Number of Tables:		
Alcohol Service:	☐ Yes ☐ No	If "yes," must obtain approval from the WSLCB for alteration request to add or extend liquor service.

SIDEWALK USE PERMIT APPLICATION CONTENTS: The following shall be required of a sidewalk use permit.

1.	☐	Site Plan. Clear dimensional plans depicting the proposed location of all tables, chairs, and barriers (when required), as well as the location of all present fixed and moveable objects located in or upon the affected sidewalk area shall be submitted with the application. The plans shall include specific measurements of all distances between the various tables, chairs, barriers, objects, curb and adjacent building or property line.
2.	☐	Certificate of Liability from an Insurance Company – City must be named as additional insured
3.	☐	Hold Harmless Agreement.

(OVER)

PROJECT REQUIREMENTS:

- Placement of tables, chairs, and any barriers must allow for a minimum of five linear feet (5') of unobstructed passage for passersby between any table, chair or barrier and the feet outside edge of the sidewalk, and between any table, chair or barrier and any object located in or upon the sidewalk.
- Table size limitations. Tables may be circular, square, or rectangular only, and no side or diametrical dimension of such a table shall exceed thirty-two inches (32") in length.
- The maximum number of chairs authorized for use under this permit shall not exceed four per tables and must be visible from inside the permittee's business.
- There shall be a maximum of one table for each 10 linear feet of the permittee's business fronting directly upon the sidewalk. If the business has a sidewalk frontage depth that would allow additional seating, and the seating can still be seen from the inside of the business and allows for a minimum of five linear feet required in 4.14.070.C.1, the business is allowed additional tables.
- All tables, chairs and barriers placed on the sidewalk under this permit must be directly visible from the interior of the business.
- The allowed hours of use of the sidewalk service area shall be 7:00 a.m. to 10:00 p.m.
- The placement, use and removal of all tables, chairs and barriers authorized by this permit shall be at no cost to the city.
- A sidewalk café must be ADA-accessible. A wheelchair user must be able to access at least one seat at a table, unless the business has other dining that is ADA-compliant and available for customer use.
- The permittee, and permittee's officers and employees, shall comply with all applicable local, state, and federal laws, ordinances, and regulations.

The following additional provisions are required if alcohol is served in a sidewalk café area.

- The sidewalk café area shall have a perimeter barrier during all hours of use, and the barrier shall be at least forty-two inches (42") in height. The barrier shall consist of a physical structure, such as a folding metal gate or moveable fence, that bars movement between two areas. Barriers may not be affixed to the sidewalk, nor may the sidewalk be disturbed in any way.
- Service of alcohol beverages and use of the sidewalk service area must be in accordance with all applicable provisions of Chapter 66 RCW ("Alcoholic Beverage Control") and Title 314 WAC ("Liquor Cannabis Board").

INSURANCE REQUIREMENTS:

- A. **Minimum Amounts of Insurance** - The Permittee shall maintain the following insurance limits:
Commercial General Liability insurance shall be written with minimum limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. A certificate of insurance naming the city as an additional insured, with respect to liability, and providing that it shall be primary as to any other policy of insurance.
- B. **Other Insurance Provision** - If alcohol is served the permittee must also procure and maintain Liquor Liability insurance in the amount of not less than \$1,000,000 per occurrence. The city must be named as additional insured on the Liquor Liability insurance.
- C. **Verification of Coverage** - Certificates of insurance and all necessary endorsements shall be submitted to the city for approval prior to permit issuance. Acceptability of insurance is subject to approval by the office of the city attorney. The applicant is responsible for ensuring that insurance requirements as detailed herein, or as may be revised, are maintained throughout the duration of the permitted right-of-way use. The director, in consultation with the city attorney, may waive or modify the insurance requirements contained herein when the permitted activity poses minimal risk to persons and property.

SIGNATURE OF LEGAL OWNER or REPRESENTATIVE AS AUTHORIZED BY THE LEGAL OWNER:

I, _____, (print name) affirm that the above responses are made truthfully and to the best of my knowledge. I hereby apply for this permit application and acknowledge that I have read this application and state that the information is correct and that I agree to comply with all city ordinances pertaining to this permit if granted.

I further affirm that I will comply with all requirements and any violation of the requirements could result in the termination of the streatory permit.

I understand the authorization and use of the Streatory is temporary. The terms and conditions of this permit are subject to change as the City Council determines appropriate, or as required by changes in the law, including emergency proclamations and directives issued by the Governor or other state agencies.

Signature of Legal Owner:
(or Authorized Agent)

Date: