

Temporary Use of Public Right-of-Way Permit

Version: September 2020

PURPOSE OF THIS TEMPORARY USE PERMIT

As a result of COVID-19 restrictions on restaurant seating capacity and required social distancing, outdoor dining, salon, barber shops, and other similar business on public right-of-way will be temporarily permitted on an expedited process. The temporary use permit capacity is intended to offset the loss of indoor operations of restaurants and personal services, and shall not cause to increase the total maximum capacity permitted for the establishment. The temporary outdoor area may be located on the front, side or rear sidewalk or alleyway as feasible. The temporary permit shall be valid for a period of 90 days and can be renewed for additional periods with revised conditions as updated by state or County Health Department.

FILING REQUIRMENTS

All required documents below may be submitted electronically through the Planning web site portal:

- Application form filled out and signed (there is no application fee).
- A copy of insurance certification.
- One (1) site plan or sketch indicating the area contemplated for temporary outdoor use with overall dimensions. The drawing shall provide the following information:
 - Address of the business;
 - Proposed occupant load, including table layout, number of chairs per table, or other fixtures; and
 - Minimum distance separation between seating groups and stations.
- Letter from adjacent business owner of encroachment authorization (as required).
- If alcohol is being served outside, a separate ABC COVID-19 Temporary Catering Authorization shall be obtained prior to submitting this application (retrieve application here <https://www.abc.ca.gov/wp-content/uploads/forms/ABC218CV19.pdf>).
- Proof of Insurance (see Insurance Requirement section below).

INSURANCE REQUIREMENT

The business owner shall maintain valid insurance throughout the duration of the permit with the City of Alhambra held harmless for damage, bodily injury, death, theft and vandalism for the establishment or patron, patron's property in the public right-of-way with a minimum General Liability policy in the amount of \$2,000,000 per occurrence \$4,000,000 aggregate and shall name the City of Alhambra as an additional insured. The additional insured endorsement is required.

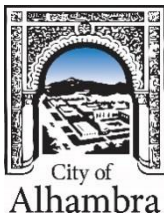
I HEREBY CERTIFY, that I comply with the above insurance requirement and have provided a copy of said document to the City of Alhambra Planning Division with submittal of this application.

Applicant's Signature: _____ Date (Applicant): _____

SUBMITTAL PROCESS VIA DROPTBOX

The Planning Division is accepting digital submittals via Dropbox. Please contact a Planner for Dropbox access. Applicants that submit their digital material(s) and applications to Dropbox shall submitted them as follows:

- All project material(s) shall be uploaded to the Dropbox within a **File Folder or Zip-Folder**.
- The file folder or zip-folder shall be renamed to include the Business address and date (i.e.: **111 S First St_3-18-2019**).



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File No.: TOD-20-

Business Name: _____ Phone: _____

Business Address: _____ City/State: _____ Zip: _____

Business Owner/Applicant: _____ Phone: _____

CONDITIONS OF APPROVAL

1. The outdoor area shall be limited to the width of the business frontage. Encroachment onto adjacent business frontage shall require an executed encroachment authorization by the adjacent business owner(s).
2. The business owner shall maintain a City of Alhambra business license and shall maintain the minimum General Liability insurance in the amount described in the Insurance Requirement section of this application (*see page 1*).
3. The business owner shall maintain a distance of six feet (6'-0") wide continuous obstruction-free sidewalk clearance between the outdoor area, generally parallel and adjacent to the curb line.
4. Existing onsite parking shall not be reduced without first obtaining a Temporary Outdoor Use on Private Property permit.
5. The outdoor area shall not impede the normal flow of pedestrian, vehicular traffic, or accessible ramps and parking spaces.
6. The outdoor area shall comply with all state disability access regulations for accessibility and adaptability.
7. The business owner shall clear the outdoor area of all tables, chairs, and other obstacles at the end of each business day.
8. The outdoor area and adjacent perimeter shall be kept clear of litter and food scraps at all time. The outdoor area shall be swept and mopped at the end of each business day. No litter may be swept or washed into the sidewalk, gutter, or street.
9. Patio heaters, if used, shall be kept a minimum of three (3) feet from all combustibles or the manufacturers' recommendation, whichever is greater.
10. Alcohol served on the outdoor dining area shall first obtain and maintain a separate ABC COVID-19 Temporary Catering Authorization. A copy of this authorization from ABC shall be submitted to the Planning Division (*see page 1*).
11. One (1) outdoor fire extinguisher shall be provided for every 75 feet radius of outdoor dining area.

SELF-CERTIFICATION AND PENALTIES

You may obtain the permit and defer the site inspection requirement by agreeing to self-certification of compliance with all conditions of approvals. Violation of the conditions of approval and the self-certification agreement shall result in a citation of \$500 per AMC Sec. 1.13.010 and immediate revocation of the Temporary Use of Public Right-Of-Way Permit. A new permit shall not be issued for a period of 90 days. This permit shall be canceled upon the state and/or County Health Department allows full service dining and personal services to resume. This permit may be revoked by the City at any time in its sole discretion for any reason including noncompliance, unsafe conditions, or discontinuation of the program. If the Restaurant / Business Owner desires to maintain outside dining privileges once the temporary program ends, it will be necessary to obtain a permanent Permit.

BY SIGNING THIS PERMIT, I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify under penalty that the above requirements and conditions have been met and agree to defer the inspection requirement. I hereby understand that this permit shall be valid as of _____, **2020**, for a period of 90 days with the possibility of renewal for additional periods with revised conditions as updated by state or County Health Department.

Applicant's Signature: _____ Date (*Applicant*): _____Planner's Signature: _____ Date (*Planner*): _____Public Works Signature: _____ Date (*Public Works*): _____