



City of Woodland Temporary Outdoor Dining/Use Application and Permit

Community Development Dept.
300 First St, Woodland CA 95695
(530) 661-5820
www.cityofwoodland.org

Sit-down dining and in-store service is permitted by the State of California and by the Yolo County Shelter In Place Order subject to State and local guidelines. Certain City-owned public property and private property may be used temporarily for outdoor dining/retail display during the COVID-19 emergency to allow additional seating or merchandise display in line with social distancing requirements, subject to the provisions outlined in this document.

**APPLICATIONS CAN BE SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT AT 300 FIRST STREET
BEGINNING MONDAY JUNE 8; OR CAN BE SUBMITTED VIA EMAIL TO
ENGINEERINGPERMITS@CITYOFWOODLAND.ORG**

NAME OF APPLICANT: _____
NAME OF BUSINESS: _____
ADDRESS: _____
PHONE NUMBER: _____ EMAIL: _____
DAYS AND HOURS OF OUTDOOR DINING/DISPLAY OPERATION: _____
REQUEST TO ANCHOR FURNITURE (TABLES, SHADE DEVICES) OR FENCING? YES NO

PLEASE ATTACH PHOTOGRAPH, DRAWING OR DEPICTION OF PROPOSED LOCATION AND LAYOUT OF OUTDOOR DINING/USE AREA WITH THIS APPLICATION, INCLUDING NUMBER OF TABLES, MERCHANIDISE DISPLAY RACKS, PATH OF TRAVEL TO-FROM BUSINESS, SHADING AND/OR BARRIER DEVICES, AND TRASH RECEPTACLES AS APPLICABLE.

The undersigned applicant Business seeks a temporary permit to use designated public or private space for temporary outdoor dining/merchandise display. The applicant understands and agrees that the permit, once issued, is subject to the following requirements:

- A. Business shall maintain a designated Compliance Manager for all shifts. Compliance Manager shall be responsible for monitoring compliance with all requirements as provided for in this permit.
- B. The outdoor use/dining area shall not interfere with access under the Americans with Disabilities Act or with vehicular and pedestrian traffic unless circulation is otherwise rerouted at the discretion and approval of the City.
- C. A minimum four-foot (4'0") wide path of travel shall be provided and maintained along all pedestrian walkways from the public right-of-way and/or parking lot to all building entrances. No outdoor use may obstruct this required pedestrian clearance in any manner, regardless of width of the sidewalk.

- D. Dining tables/retail displays shall be placed in a manner that observes at least six-foot (6'0") social distance between groups of customers consistent with local and State social distancing orders. Customers in the same household dining together are counted as one group and are exempt from this requirement while sitting at the same table(s).
- E. Applicant is responsible for adhering to all sanitation standards as outlined in the State of California COVID-19 Guidance for Dine-in Restaurants and Retail establishments.
- F. Applicant is responsible for maintaining an outdoor environment free of trash and debris throughout the day. All trash and debris in and around the outdoor dining/use area shall be disposed of each night and trash receptacles emptied each night.
- G. Temporary signage may be placed at or near the public spaces designated for outdoor dining/use purposes, provided that such signs do not block, impede or otherwise interfere with the public rights-of-way and the safe travel of vehicles and pedestrians, including access under the Americans with Disabilities Act. Signage shall be well anchored so as not to blow into drive aisles or walkways.
- H. Proposed shade/covering devices such as umbrellas shall be well anchored so as not to blow into drive aisles or walkways. **Tent structures, wooden or metal patio covers or pergolas are subject to additional review/approval by the Community Development Department.**
- I. Unless hours of operation are expressly extended or restricted by the permit, hours of operation for outdoor uses shall coincide with normal business hours of operation.
- J. Amplified sound is subject to maximum noise levels outline in the City's Municipal Code and shall not disrupt or interfere with adjacent business operations or residential uses. Outdoor music, live or amplified, shall not persist past 10PM. City shall have the ability to terminate outdoor music at its sole discretion.
- K. The City reserves the right to determine on a case-by-case basis the suitability and appropriateness of the public or private space requested by the business for outdoor dining/use.
- L. No permanent item or structure, shall be installed on City-owned public property or private property under this permit. **Tables, benches, shade covers and temporary enclosures requiring drilled anchors are discouraged and subject to City approval prior to installation.**
- M. Temporary fencing not exceeding three feet six inches (3'6") tall may be placed in a safe and well-secured manner around the outdoor dining/use area. **Temporary fencing requiring drilled anchors is discouraged and subject to City approval prior to installation.**
- N. Applicant/Business shall comply with all applicable State and County laws and regulations pertaining to outdoor dining/use (including, but not limited to sale and consumption of alcoholic beverages) under this provision.
- O. No real property right is provided, given, or otherwise conveyed to any person or entity using City-owned public property for outdoor dining/use purpose. Any such use permitted hereunder shall cease no later than termination of the City local emergency. The City reserves the right, in its sole discretion during the pendency of the City local

emergency, to terminate or extend any use permit issued hereunder, with or without cause. Upon termination of any use permit granted hereunder, the permittee shall return City-owned public property to the condition existing at the time of permit issuance.

- P. The Applicant/Business shall maintain in full force and effect, at its sole cost and expense, Commercial General Liability insurance coverage for claims of bodily injury and property damage liability not less than \$1,000,000 for each occurrence, and shall provide the City with an additional insured endorsement and primary and non-contributory endorsement naming the City of Woodland and its officers, agents and employees as additional insured.

- Q. The Applicant/Business shall indemnify, protect, defend, save and hold City, its officers, agents, and employees harmless from any and all claims or causes of action for death or injury to persons, or damage to property resulting from intentional or negligent acts, errors, or omissions of the Applicant/Business or its officers, employees, volunteers, and agents, or from any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct, negligent acts, or omissions of the Applicant/Business or its employees, subcontractors, or agents, or by the quality or character of the Applicant's/Business' work. It is understood that the duty of Applicant/Business to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Permit does not relieve Applicant/Business from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply and shall further survive the expiration or termination of this Permit. By execution of this Application, Applicant/Business acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

The City reserves the right to determine on a case-by-case basis the suitability and appropriateness of the public or private property requested by the Applicant/Business. This permit is valid until the local COVID-19 emergency is terminated, unless otherwise terminated in writing by the City at an earlier date due to non-compliance with the above provisions. Public or private property under this permitting program must return to its original condition upon conclusion of its use for outdoor dining once the COVID-19 emergency is terminated.

Signature of Business Owner

Print Name

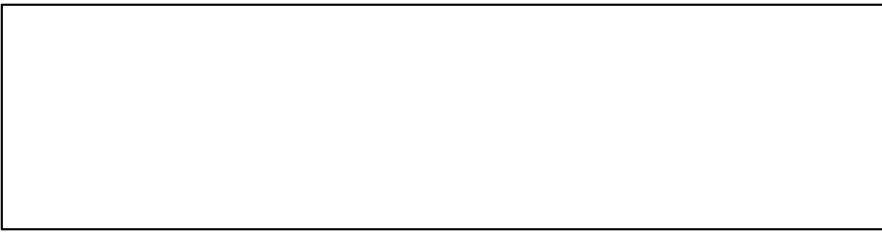
Date

Signature of Property Owner (if different from Business Owner)

Print Name

Date

CITY APPROVAL STAMP (REQUIRED PRIOR TO OUTDOOR USE/DISPLAY):



For City Staff Use Only

Planning YES DATE _____

Building YES DATE _____

Development Engineering YES DATE _____

Traffic Engineering YES DATE _____

Fire Approval YES DATE _____

Additional Conditions Attached? Yes No