



SIDEWALK USE PERMIT COMMUNITY DEVELOPMENT

806 WEST MAIN STREET • MONROE, WA 98272
City Hall 360.794.7400 • Fax 360.794.4007

INSTRUCTIONS:

Below is a checklist of items that must be submitted as part of your application for a Sidewalk Use Permit. Plan sheet requirements below outlines the minimum information that must be provided on your plan sheets. Numbers in parenthesis equal the number of copies required. Please use only paper clips and/or binder clips when assembling documents.

If you have any questions about what is required, or if you would like to schedule a pre-application meeting, please call the Community Development Department at 360.863.4532.

SUBMITTAL CHECKLIST

- ◇ (1) Original, Plus (2) copies of the Combined Permit Application Form
- ◇ (1) Vicinity Map (on 8½" X 11")
- ◇ (1) Written Narrative (description of proposal)
- ◇ (1) Completed Hold Harmless Agreement with Notary Stamp (attached)
- ◇ (1) Certificate of Liability Insurance (see attached instructions)

SITE PLANS

- ◇ (1) Original plus (2) copies
- ◇ (2) 11" X 17"
- ◇ (2) 8½" X 11"
 - ◆ Site Plans must include plans and specifications for any equipment, utility or structure (including but not limited to heating appliances, tables, chairs, railings and fences) proposed in or on the sidewalk.
 - ◆ Please indicate on plans which zone your business is located within the Downtown Planning Area:
 - Borlin Park Neighborhood
 - Downtown Neighborhood
 - Historic Main



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Downtown Sidewalk Use Permit Application Instructions

In making application for the Sidewalk Use Permit please provide the following information.

APPLICATION FORM

Signed by the property owner and business owner, or authorized agents.
(Authorized agent must provide evidence that they are authorized to sign on behalf of the property owner.)

(There is no application fee for a sidewalk use permit.)

WRITTEN DESCRIPTION

A written description/narrative containing the following:

- A. Identifying whether the use of the sidewalk is for:
 - i. Placing merchandise displays on the sidewalk;
 - ii. Placing tables and chairs on the sidewalk; or,
 - iii. Placing a sidewalk café on the sidewalk.
- A. Proposed Days and Hours of the sidewalk use.
- B. Specifications for any equipment, utility, or structure (including but not limited to heating appliances, tables, chairs, railings, and fences) proposed in or on the sidewalk

In preparing the written description, please see the General Requirements below (and also the specific requirements for sidewalk cafes if a sidewalk café is proposed).

SITE PLAN

A site plan of the proposed use containing the following:

- A. The defined portion of the sidewalk to be used.
- B. General location any equipment, utility, or structures (including but not limited to heating appliances, tables, chairs, railings, and fences).
- C. Distances from the front of the building and street curb line.
- D. If applicable, any existing public improvements, utilities, or structures in the vicinity of the area to be used and any trees that may be affected.

In preparing the site plan, please see the General Requirements below (and also the specific requirements for sidewalk cafes if a sidewalk café is proposed).



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LIABILITY INSURANCE

Prior to issuance of the permit, an indemnification agreement and proof of liability insurance shall be required as follows:

- A. All permittees of a sidewalk use permit enter into an agreement with the city of Monroe in which they agree to defend, indemnify and hold harmless the city, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property arising by reason of their use and/or occupancy of the sidewalk for such purposes, except only such injury or damage as shall have been occasioned by the sole negligence of the city.
- B. At all times during the duration of such permit, the permittee shall maintain commercial general liability insurance of not less than one million dollars per occurrence, two million dollars general aggregate, and two million dollars products-completed operations aggregate limit naming the city of Monroe as an additional insured.
- C. The permittee shall procure and maintain, if applicable, liquor liability insurance in the amount of one million dollars each occurrence. The city of Monroe shall be named as an additional insured on liquor liability insurance.

The permittee shall furnish the city with original certificates of insurance and a copy of the amendatory endorsements, including the additional insured endorsement, evidencing the insurance requirements of the applicant before issuance of the permit.

GENERAL AND SPECIFIC REQUIREMENTS FOR SIDEWALK CAFES

1. General requirements (for ALL sidewalk use permit applications).

In preparing the written description and site plan for all sidewalk use permit applications, please note the following:

- A. A minimum area of the sidewalk shall be reserved for pedestrian use not less than five feet in width or the minimum width required by applicable local, state and federal law, whichever is greater, and shall be within the area between the curb/bollards and the building, and shall be for the entire width of said building.
- B. Such pedestrian area shall be maintained free and clear of all obstructions at all times, and shall allow for a continuous walkway along the entire front of the building, connecting with pedestrian walkway areas, if any, on both ends thereof.
- C. A minimum area shall be reserved for vehicle loading and unloading not less than three feet in width adjacent to the curb/bollards.
- D. Pedestrian entrances to all buildings shall intersect with such pedestrian walkway areas, shall be not less than forty two inches in width, and shall be maintained free and clear of all obstructions at all times.



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- E. No obstruction shall be placed in a manner that impedes persons from entering or exiting parked vehicles.
- F. Comply with design requirements as determined by the Community Development Director.

2. Specific requirements - Sidewalk cafes

In preparing the written description and site plan for sidewalk cafés, please note the following:

- A. The permittee shall maintain the sidewalk café and all adjoining and abutting public places free of all refuse of any kind generated from the operation of the sidewalk café and the permittee's business.
- B. Only materials and supplies used by the permittee for the daily operation of the sidewalk café may be located within the sidewalk café and the permittee shall not store other supplies or other materials in the sidewalk café or adjoining public places unless authorized by separate City permit or approval.
- C. The surface of the adjoining public place shall not be altered and fixtures of any kind shall not be installed in the public place unless authorized by a street use permit.
- D. A sidewalk café shall not be secured to any public amenity unless authorized by a street use permit.
- E. The permittee shall temporarily remove the sidewalk café and clear the public place as the authorizing officials deem necessary to temporarily accommodate access to abutting properties or utilities.
- F. The permittee is responsible for ensuring that the sidewalk café does not encroach into the roadway or cause pedestrians to divert from the pedestrian zone.
- G. The permittee shall not operate the sidewalk café in a way that restricts or interferes with access to the abutting property; prevents the use of the sidewalk area for pedestrian traffic, including without limitation use by disabled persons; creates a nuisance or hazard to public health, safety, or welfare; increases traffic congestion or delay; or constitutes an obstruction for fire, police, or sanitation vehicles.
- H. The permittee shall immediately remove the sidewalk café when ordered by the authorizing officials or the police chief.
- I. Liquor, as defined in RCW 66.04.010(25), as now existing or as amended, may only be used or sold at a sidewalk café if authorized by: the street use permit; the permit issued by the Snohomish Health District; and all applicable licenses, permits and/or other approvals issued by the Washington State Liquor Control Board.



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Certificate of Liability Insurance

Effective 6/21/2015

Permit Applicant: Your insurance agent or broker can assist you with these documents.

The City of Monroe requires a Certificate of Liability Insurance and additional insured endorsement for most types of Right-of-Way Disturbance Permits and Sidewalk Use Permits.

Minimum Liability Insurance Requirement:

\$1,000,000 per occurrence, \$2,000,000 general aggregate and \$2,000,000 products- completed Operations aggregate limit

Wording on the Certificate of Insurance must be as follows:

1. The City of Monroe is named as an additional insured under the commercial general liability policy as respect to any of the above-referenced permits issued by the City of Monroe (see details under Important Notice to Insurance Broker/Agent).
2. Commercial general liability coverage is primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess and shall not contribute with it.
3. The City of Monroe shall be given not less than thirty (30) days' notice of cancellation of the policy, except in the case of non-payment, then not less than ten (10) days prior notice is required.

Commercial General Liability insurance must cover the period of the permit **and include:**

- Coverage for explosion, collapse and underground (XCU) if applicable
- Products and Completed Operations
- Broad Form Property Damage Liability
- Personal Injury
- The Certificate holder should be identified as: **City of Monroe**

For some Sidewalk Use Permits, the City of Monroe may require liquor liability insurance in addition to the insurance types and coverages specified above. Where applicable, you must procure and maintain such liquor liability insurance in the amount of \$1,000,000 per occurrence, and the City of Monroe shall be named as an additional insured on any such insurance policy.

IMPORTANT NOTICE TO INSURANCE BROKER/AGENT:

The City of Monroe must be named as an additional insured with either a CG 20 12 additional insured endorsements or substitute endorsement providing equivalent coverage.

The additional insured endorsement must reflect the City's role as a governmental entity issuing a permit.



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This excludes the CG 20 09, CG 20 10 and CG 20 33 forms, because the permit applicant isn't performing any work for the City. It also excludes blanket additional insured language which refers to written agreements or contracts, because permits are not considered written agreements or contracts.

The additional insured endorsement or blanket additional insured section of the commercial general liability policy must be attached to the certificate or the insurance will not be approved.

IMPORTANT NOTICE TO APPLICANT:

The permit application will not be approved without having the required insurance in place.



HOLD HARMLESS AND INDEMNIFICATION AGREEMENT (SIDEWALK USE PERMIT)

_____ (hereinafter "Applicant") by and through

(Name of business)
_____, its _____ in consideration for Permit
(Name of person) (Position of person)
_____, to utilize a portion of the public sidewalk as described in the Sidewalk Use
Permit Application, submitted herewith, at:

(Address of business location)

hereby agrees to defend, indemnify and hold harmless the City of Monroe, its officers, officials, employees and volunteers, from and against any and all claims, suits, actions or liabilities, including attorneys' fees, for injury or death of any person, or for loss or damage to property, which may arise in any manner from the use and/or occupancy of the sidewalk area as authorized in the Sidewalk Use Permit (# _____), except such injury or damage as shall have been occasioned by the sole negligence of the City of Monroe. Further, the Applicant agrees to provide proof of insurance acceptable to the City of Monroe and naming the City of Monroe as an additional insured.

In the event the City of Monroe, its officers, officials, employees or volunteers bring an action to enforce the terms of this Agreement and substantially prevail in such action, the City of Monroe, its officers, officials, employees or volunteers shall be entitled to an award of their reasonable attorneys' fees and costs. The exclusive venue for any such action shall be the Snohomish County Superior Court.

_____ hereby represents he/she is authorized to sign this Hold

Harmless and Indemnification Agreement as the _____ and has attached and incorporates reference, proof of such authority.

Dated this _____ day of _____, 20__.

- Sole Proprietorship - Business License attached.
- Partnership - Agreement naming signer attached.
- Corporation - Bylaws or Incorporation Documents attached.

Notary Seal must be within box

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that

signed this instrument and acknowledged it to be
his/her/their free and voluntary act for the uses and
purposes mentioned in the instrument.

NOTARY PUBLIC in and for the State of Washington
Notary (Print) _____
My appointment expires: _____
Dated: _____



COMMUNITY DEVELOPMENT

806 West Main Street, Monroe, WA 98272
 Phone (360) 794-7400 Fax (360) 794-4007
www.monroewa.gov

FOR OFFICE USE ONLY
PERMIT #(s) _____

COMBINED PERMIT APPLICATION

PERMIT SUBMITTAL HOURS

MONDAY – FRIDAY 8:00 – 12:00 / 1:00 – 5:00

Building	Operations	Fire	Land Use
<input type="checkbox"/> Commercial T/I	<input type="checkbox"/> Engineering Review	<input type="checkbox"/> Fire Alarm	<input type="checkbox"/> Accessory Dwelling Unit
<input type="checkbox"/> Demolition	<input type="checkbox"/> Fencing	<input type="checkbox"/> Fire Sprinkler	<input type="checkbox"/> Boundary Line Adjustment /Lot Consolidation
<input type="checkbox"/> Garage/Carport	<input type="checkbox"/> Grading	<input type="checkbox"/> High Piled Storage	<input type="checkbox"/> Conditional/Special Use
<input type="checkbox"/> Mechanical	<input type="checkbox"/> Retaining wall	<input type="checkbox"/> Hood Suppression	<input type="checkbox"/> Land Clearing/Forest Practices
<input type="checkbox"/> New Construction (Commercial/Residential)	<input type="checkbox"/> Rockery	<input type="checkbox"/> Operational	<input type="checkbox"/> Planned Residential Development
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Right-of-Way Disturbance	<input type="checkbox"/> Spray Booth	<input type="checkbox"/> Shoreline Permit
<input type="checkbox"/> Racking	<input type="checkbox"/> Special Flood Hazard Area	<input type="checkbox"/> Tents & Canopies	<input type="checkbox"/> Short Plat
<input type="checkbox"/> Residential Remodel	<input type="checkbox"/> Utility Service	<input type="checkbox"/> Other _____	<input type="checkbox"/> Subdivision/Plat
<input type="checkbox"/> Sign	<input type="checkbox"/> Other _____		<input type="checkbox"/> Variance
<input type="checkbox"/> Other _____			<input type="checkbox"/> Other _____

NOTE: All required Electrical Permits will be issued by the Dept. of Labor & Industries.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT COMPLETED SUBMITTAL REQUIREMENTS

Site Address or Property Location: _____

Size of site (acre/square feet): _____

Assessor's Tax Parcel Number (14 digits): _____

Applicant: _____ Phone # (____) _____

*Signature: _____ Printed Name: _____

Mailing Address: _____ Fax # (____) _____

City _____ State _____ Zip _____ E-mail _____

Property Owner: _____ Phone # (____) _____

**Signature: _____ Printed Name: _____

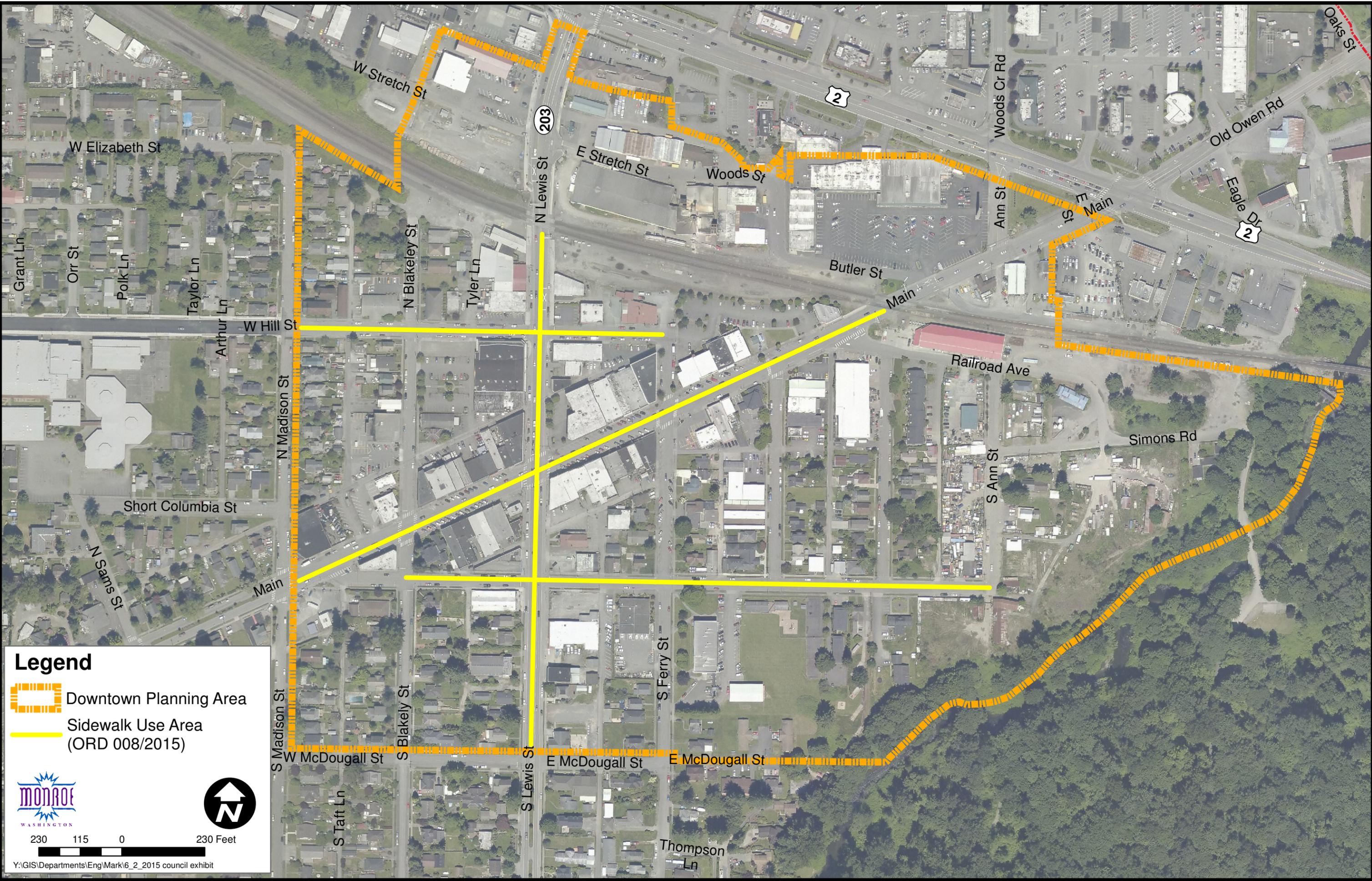
Mailing Address: _____ Fax # (____) _____

City _____ State _____ Zip _____ E-mail _____

Attach a separate sheet for additional property owners/additional addresses

***Applicant: By your signature above, you hereby certify that the information submitted is true and correct and that you are authorized by the property owner(s) to act on their behalf.**

****Property Owners: by your signature above, you hereby certify that you have authorized the above applicant to make application on your behalf for this application.**



Legend

-  Downtown Planning Area
-  Sidewalk Use Area (ORD 008/2015)



230 115 0 230 Feet