



CITY OF MONROE COMMUNITY DEVELOPMENT PERMIT DIVISION

806 WEST MAIN STREET | MONROE, WA 98272
City Hall 360.794.7400 | www.monroewa.gov

SIDEWALK USE PERMIT

MMC CHAPTER 12.30

The provisions of this chapter shall apply exclusively to the sidewalk area lying immediately adjacent to a commercial building containing a currently licensed operating retail business engaged in the sales of goods and merchandise, services, or the business of food service establishment located on:

- A. Main Street, between Madison Street and the Burlington Northern Santa Fe railroad tracks;
- B. Lewis Street (SR203), between MacDougall Street and the Burlington Northern Santa Fe railroad tracks;
- C. Hill Street, between Madison Street and Ferry Street; and
- D. Fremont Street, between Blakeley Street and Ann Street.

This checklist is to determine completeness of a submittal.
It does not verify the accuracy of materials received.

SUBMITTAL OPTIONS:

- **ELECTRONIC** Submittals can be made electronically by requesting a Sharefile link at landuse@monroewa.gov. For smaller project submittals that do not exceed 5 mb, you can email the permit and documents directly to this email address.
- If submitting electronically is not feasible for you, we are accepting mail in submittals addressed to Permit Center, 806 W. Main St., Monroe WA. 98272 or you can call the Permit staff at **(360) 863-4501** to arrange alternative means of submitting your permit.

SUBMITTAL CHECKLIST:

Below is a checklist of items that must be submitted as part of your **SIDEWALK USE PERMIT APPLICATION** for a permit to use the sidewalk area to:

- A. Place merchandise displays on the sidewalk.
- B. Place tables and chairs on the sidewalk.
- C. Place a sidewalk café on the sidewalk

The following items are required in order for a complete application submittal:

- ◇ **APPLICATION FORM.** Signed by the adjacent property owner and business owner or authorized agents thereof and shall contain an accurate description of:
 - The proposed use;
 - The sidewalk of defined portion of the sidewalk to be used;
 - Any existing public improvements, utilities, or structures in the vicinity of the area to be used and any trees that may be affected;
 - The 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; and
 - Other requested information specific to the application as required by the authorizing officials.



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◇ FEES – *There are no fees for a sidewalk use permit*

◇ **SITE PLAN**

A site plan of the proposed use must contain the following:

- A. 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.
- B. The defined portion of the sidewalk to be used.
- C. General location any equipment, utility, or structures (including but not limited to heating appliances, tables, chairs, railings, and fences).
- D. Distances from the front of the building and street curb line.
- E. 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.

◇ **COMPLETED CERTIFICATE OF LIABILITY INSURANCE** – (see attached instructions)

- All permittees of a sidewalk use permit under this chapter shall, prior to being granted such 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.
- 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.

◇ **COMPLETED HOLD HARMLESS AGREEMENT WITH NOTARY STAMP** – (see attached form)

12.30.090 GENERAL REQUIREMENTS.

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 adjacent building, and shall be for the entire width of said building. 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.

B. A minimum area shall be reserved for vehicle loading and unloading not less than three feet in width adjacent to the curb/bollards.

C. Pedestrian entrances to all buildings shall intersect with such pedestrian walkway areas, shall not be less than forty two inches in width, and shall be maintained free and clear of all obstructions at all times. In addition, no obstruction shall be placed in a manner that impedes persons from entering or exiting parked vehicles.



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12.30.100 SPECIFIC REQUIREMENTS - SIDEWALK CAFÉS.

- 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.



Community Development
Permit Division

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

FOR OFFICE USE ONLY
PERMIT FILE #
APPLICATION #
SEPA #

COMBINED PERMIT APPLICATION

PERMIT SUBMITTAL HOURS
MONDAY - FRIDAY 8:00 - 12:00 / 1:00 - 5:00

Building Operations Fire Land Use
[] Basic SFR [] Engineering Review [] Fire Alarm [] Type I Permit
[] Commercial T/I [] Fencing [] Fire Sprinkler [] Type II Permit
[] Demolition [] Grading [] High Piled Storage [] Type III Permit
[] Garage/Carport [] Retaining wall [] Hood Suppression [] Type IV Permit
[] Mechanical [] Rockery [] Operational [] See permit types listed on
[] New Construction (Commercial/Residential) [] Right-of-Way Disturbance [] Spray Booth attached form
[] Plumbing [] Utility Service [] Tents & Canopies [] Other
[] Racking [] Other [] Other
[] Residential Remodel
[] 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.

City of Monroe
Land Use Permit Application- Page 2



Forest Tax Reporting Account Number (if harvesting timber call the Department of Revenue at (800) 548-8829 for tax reporting information or to receive a tax number):

Give a detailed description below of the proposal / work. Provide details specific to your application e.g., current and proposed lot sizes, number of lots, description of driveway, description of proposed business including hours of operation, number of employees, existing and proposed parking spaces.

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Planning Application Fee: _____ Publication Fee: _____
Fire Plan Check Fee: _____ Mailing Fee: _____
SEPA Fee: _____ Technology Fee: _____

Hearing Examiner Deposit required (\$2,500.00):

Consultant review fee (if applicable) – Deposit for estimated cost + 10% Admin fee:

TOTAL FEES: _____



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Certificate of Liability Insurance

Effective 6/21/2015

IMPORTANT NOTICE TO APPLICANT:

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

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.



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.