

SIDEWALK CAFÉ PERMIT APPLICATION

225 FIFTH STREET • SPRINGFIELD, OR 97477 • PH: 541-726-3753 • FAX: 541-726-3689



APPLICATION FEE: \$210.00 RENEWAL: \$105.00 Every Two Fiscal Years (Includes a 5% technology fee)
All fees are non-refundable.

APPLICATION TYPE

New Application

Renewal Application

BUSINESS INFORMATION

Applicant's Name:

Business Name:

Physical Address:

City:

State:

Zip:

Phone Number:

E-mail Address:

Mailing Address:

Same as above

City:

State:

Zip Code:

PROPERTY OWNER AND CONTACT INFORMATION

Property Owner:

Contact Name:

Phone Number:

E-mail Address:

DESIGN AND IMPLEMENTATION

Describe facilities to be placed on sidewalk:

Will planter boxes or any other items that cannot be removed from the sidewalk during non-business hours be installed? If so, describe:

Attach a drawing to scale showing:

- Full width of sidewalk
- Location of any permanent structures (signs, utility poles, fire hydrants, etc.)
- Entrances to buildings
- Facilities to be placed for sidewalk cafe

SIGNATURES

By signing and submitting this application I agree, that if the application is approved, I will assume all risk of loss and defend, indemnify and save harmless the City of Springfield, its officers, agents, and employees, against any and all liability arising out of the placement or use of the facilities described in and covered by this permit. I further agree that I will maintain the facilities in good order and repair at all times. I acknowledge that this permit is revocable on 24 hours' notice in the event I fail to fulfill each and all of these responsibilities.

Applicant's Signature:

Date:

I understand and acknowledge that my tenant has applied for the permit described herein, and that I approve of this request. I agree that I release the City of Springfield from any and all liability, of whatever kind, resulting from the placement or use of the facilities described in and covered by this permit.

Property Owner's Signature:

Date:

DOWNTOWN DISTRICT SIDEWALK CAFÉ PERMIT

7.900 Revocable Permit.

In the downtown district only, the city manager, or the manager's designee, may issue a revocable permit for a sidewalk café allowing for the service of food and beverages within the public right-of-way under the following conditions:

- (1) The owner or operator of the abutting eating establishment agrees to defend, indemnify and hold harmless the city from all risks associated with activity occurring within the right-of-way, and submits a certificate of insurance acceptable to the city attorney.
- (2) The owner of the real property on which the eating establishment is located consents in writing to the issuance of the permit.
- (3) The permit applicant demonstrates that the use of the right-of-way and all structures and fixtures placed in the right-of-way will not interfere with existing utilities, pedestrian or bicyclist travel, vision clearance areas, or ingress and egress to any building entrance or exit; complies with all relevant building and fire codes; will not pose a hazard to vehicular traffic or to the general public; and will meet the permit requirements in SMC section [7.908](#).
- (4) The sidewalk café area is located on the sidewalk abutting an existing eating establishment, or upon discretion of the city manager or the manager's designee on a case-by-case basis, in another area of public right-of-way that meets the requirements of these SMC sections [7.900](#) to [7.908](#).
- (5) The permit applicant must obtain any other necessary state and local permits. [Section [7.900](#) added by Ordinance No. 6122, enacted April 4, 2005; amended by Ordinance No. 6444, enacted June 6, 2022.]

7.902 Downtown District Definition.

For purposes of SMC sections [7.900](#) through [7.908](#), the term "downtown district" shall include all that property bordered on the west by Mill Street, on the east by 10th Street, on the north by A Street and on the south by South A Street. [Section [7.902](#) added by Ordinance No. 6122, enacted April 4, 2005; amended by Ordinance No. 6444, enacted June 6, 2022.]

7.904 Application.

An applicant for a sidewalk café permit must submit an application in the form required by the city manager including, at a minimum, the following requirements:

- (1) A signed statement that the applicant lawfully operates an eating establishment adjacent to the right-of-way where the permit is sought, identifying the name and business address of the establishment and owner of the adjacent property, if different;
- (2) A sketch of the proposed sidewalk café location with appropriate dimensions marked showing the placement and number of all structures, fixtures and furniture to be placed in the right-of-way, and showing any other sidewalk obstructions within 50 feet of the proposed permit area including, but not limited to, transit stops, street trees, fire hydrants, and utility or street light poles;
- (3) For any walls or partitions that are greater than five feet in height or that cover any seating area, or any walls or partitions that are more than 30 percent opaque to the wind, a design drawing stamped by an Oregon licensed engineer demonstrating that the structure meets wind and seismic design loads that would be applicable to the structure if located on private property and regulated by the Oregon Structural Code; and
- (4) A permit fee fixed by resolution of the council. [Section [7.904](#) added by Ordinance No. 6122, enacted April 4, 2005; amended by Ordinance No. 6444, enacted June 6, 2022.]

7.906 Permit Duration.

- (1) Any permit issued hereunder will be valid for a period of two years, and renewable. Renewal applications will be accompanied by a renewal fee set by resolution of the council.
- (2) The permit may be revoked, on not less than 24 hours' notice, in the event that the permittee does not adequately maintain the facilities in the right-of-way as required in this code and the subject permit.
- (3) Any permit issued shall lapse on any change of ownership of the business holding the permit. [Section [7.906](#) added by Ordinance No. 6122, enacted April 4, 2005; amended by Ordinance No. 6444, enacted June 6, 2022.]

7.908 Permit Requirements.

- (1) The permit may authorize the applicant to place street furniture, seating areas, and appropriate decorative or functional structures or fixtures, on the sidewalk adjacent to the permittee's establishment consistent with the following requirements:
 - (a) All structures, fixtures, and furniture must be placed consistent with the Americans with Disabilities Act requirements for accessibility including, but not limited to, providing at least 60 inches of unimpeded sidewalk for the use of pedestrians.
 - (b) If items are placed abutting the building line, the perimeter of the permit area must be marked by a safety barrier.
 - (c) All structures or covers for seating areas must provide a minimum of eight feet vertical clearance over any pedestrian or ingress or egress area.
 - (d) All structures, fixtures, and furniture must be able to be removed or relocated within a 24-hour period if directed by the city based upon a public need, or in event of revocation of the permit under SMC section [7.906](#).
- (2) The sidewalk café permit shall be issued for the configuration approved in the permit and cannot be expanded beyond those bounds or modified without prior approval from the city, which may require additional permit application and fees. The city may mark the approved sidewalk café area.
- (3) Violation of the permit requirements may result in revocation of the permit and/or citation under SMC sections [5.600](#) to [5.625](#). [Section [7.908](#) added by Ordinance No. 6122, enacted April 4, 2005; amended by Ordinance No. 6444, enacted June 6, 2022.]

Sidewalk Café Site Plan Example

