



**Application for
Temporary Permit for Outdoor Seating within the Public Right of Way
(Outdoor Café Permit or Downtown Activity Zone Café Seating Permit)**

*Please complete, sign, and submit this application to City of Eugene, Public Works Engineering at publicworksinfo@ci.eugene.or.us.

*There are no fees associated with this temporary permit to place outdoor seating within the public right of way.

*Temporary permits valid until April 29, 2021.

1. Business/Applicant Information:

Business Name: _____

Business Address: _____

Applicant's Name, Phone Number, Email Address: _____

Applicant's Affiliation with the Business: _____

2. Requested Outdoor Seating Location and Table Placement:

Please attach a map, photograph, or diagram showing the right of way area(s) adjacent to the property where you are requesting permission to place outdoor seating, tables, and temporary shelter(s). If a tent or other membrane structure is to be placed in the right of way to cover outdoor seating, please show the area that is to be covered. Please note that a minimum 5-foot-wide travel lane must be maintained in the right of way for pedestrian movement.

3. Applicants Requesting Use of Parking Spaces for Outdoor Seating:

In addition to the other application and permit requirements, applicants requesting use of adjacent parking space(s) for outdoor seating must:

- Provide a description of the safety measures (including materials, height and placement) that will be implemented to protect customers from vehicular traffic. Proposed safety measures must include some visible barrier to protect the seating area from moving vehicles and must not interfere with driver vision.
- Provide proof of insurance that complies with the requirements set forth in Administrative Order No. 56-17-02-F, R-3.336-F.

4. Applicants Requesting Use of Right of Way in Front of Contiguous Properties:

In addition to the other application and permit requirements, applicants requesting permission to place outdoor seating in right of way that is in front of properties contiguous to the applicant's restaurant must demonstrate that a restaurant is a permitted use for the contiguous property and that the owner of the contiguous property consents to the issues of the temporary permit. If not contiguous to applicant's premises, applicant must provide written approval from affected property owner.

5. Acknowledgment of Permit Conditions:

By signing below, I acknowledge that I must:

- Present the permit when asked;
- Maintain the free flow of pedestrian and vehicular traffic on streets and sidewalks and areas open to the public and maintain proper vision clearance for vehicular traffic;
- Not cause a barrier to pedestrian accessibility for persons with disabilities;

- Maintain unencumbered access to/from private premises from the sidewalk;
- Maintain clear emergency ingress/egress for patrons and emergency vehicles;
- Install temporary shelter(s) per manufacturer specifications;
- Cooperate with City personnel, including promptly moving or removing outdoor seating as directed by the City if the City determines the seating poses a danger to public health, safety or welfare;
- Not damage the right of way or vegetation in the right of way; and,
- Not interfere with the peaceful enjoyment of the nearby areas.

6. Agreement and Certifications:

I, the undersigned, certify that I am an authorized representative of the above business entity, that the owner of the business consents to the issuance of the permit, and that the information provided on this application is true to the best of my knowledge. I acknowledge that the temporary permit may be suspended, revoked or modified if I fail to comply with the Eugene Code, the conditions of the permit, or if the City determines that the permitted use of the right of way poses a danger to public health, safety or welfare, including but not limited to use of the right of way that is determined to interfere with existing utilities, pedestrian use of the right of way, or poses a hazard to vehicular traffic or those seated in the right of way. I and the business entity I represent agree to indemnify, defend, and hold harmless the City of Eugene, its officers, agents and employees from and against any all claims, damages, losses and expenses, including legal fees arising out of or in any way related to my activities and those of the business entity I represent during the term of the temporary outdoor seating permit.

I, the undersigned, have read and understand the Permit Conditions, Agreement and Certifications, EC 3.344(3) and, if I'm requesting use of adjacent parking spaces, the insurance requirements set forth in Administrative Order No. 56-17-02-F, R.3.336-F.

Signature

Print Name

Date

Title