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SIDEWALK CAFÉ REQUIREMENTS

What is a Sidewalk Café?

A sidewalk café is a portion of a restaurant or eating establishment located outside of and adjacent to the principle building, on a private or public sidewalk which provides a sit down area for food and/or beverage consumption purposes.

Sidewalk width requirements

Sidewalk cafés are allowed only in the Downtown Central Business District where the sidewalk is wide enough to accommodate the sidewalk café. There shall be a minimum of three (3') feet of clear pedestrian passage provided.

Things to Consider

In determining the proposed layout for a sidewalk café, please consider all existing sidewalk obstructions such as signs and signal poles, bike racks, sidewalk furniture, street trees, etc.

General Requirements and Responsibilities

- Cafes must maintain a clear pedestrian passageway of 3' at all times
- Sidewalk café furniture must be maintained in a clean and orderly condition
- Sidewalk café furniture shall be of safe, stable and durable materials not prone to rusting or corroding, cracking, warping, etc.
- Sidewalk café layout, furniture, and any accessory structures and signs must be approved by the Design Review Committee before and permit for sidewalk café is issued.

Revocation of Permit

The Community Development Department may revoke or suspend the sidewalk café permit or may deny renewal of said permit if it is found that:

- The permittee has violated or failed to meet any of the provisions of chapter 17-89 of the Code of the City of Bartlesville
- Any required permit has been suspended, revoked or cancelled
- The permittee does not have insurance in effect that meets permit requirements.

SIDEWALK CAFÉ PERMIT APPLICATION INSTRUCTIONS

Application Instructions

1. Complete the application (page 3). Have the property owner sign and complete the application where indicated.
2. Using the included site plan form (page 4), make a drawing of the proposed area to be used for the sidewalk café. Clearly identify the sidewalk obstructions if any (as previously mentioned), label all the doorways to the interior of the building and provide accurate dimensions of the length and width of your café area. Please provide accurate dimensions (see page 5 for an example). This site plan will be used to designate the area approved by the Community Development Department for use as a sidewalk café.
3. Obtain a certificate of insurance and additional insured endorsement from your agent that meets all the City of Bartlesville's requirements (see page 6 & 7).
4. Enclose a check for the application fee, payable to the City of Bartlesville. The annual application fee is five dollars (\$5.00) for each seat located within the sidewalk café area, with a minimum fee of one hundred dollars (\$100.00).

Submission: City of Bartlesville
Community Development Department
Sidewalk Cafes
401 S Johnstone Ave.
Bartlesville, OK 74003
Fax 918.338.4239

Contact

For additional information please contact the Community Development Department at 918.338.4243

APPLICATION FOR SIDEWALK CAFÉ PERMIT

Application is hereby made for a revocable permit to operate a SIDEWALK CAFÉ in accordance with Section 17-39 of the City of Bartlesville Municipal Code.

1	If this application is being used to renew a previous year's permit and there are no changes to the previous year's application information, please mark the box to the right, then complete Section 2 and 4 below. If this is a new application or if you need to update the previous year's information, do not mark the box to the right, instead complete all sections of this application.	<input style="width: 50px; height: 40px;" type="checkbox"/>
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2	Restaurant _____ Address of Operations _____ City _____ State _____ ZIP _____ Business License # _____ Expiration Date _____
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3	Contact Name _____ Contact Phone # _____ Mark the box to the right if the contact address is the same as above Contact Address _____ City _____ State _____ ZIP _____	<input style="width: 50px; height: 40px;" type="checkbox"/>
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4	Property Owner Name (Print) _____ Property Owner Phone # _____ Property Owner Address _____ City _____ State _____ ZIP _____ Property Owner Signature _____ Date _____
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Submit the following:

- ◇ Certificate of insurance and endorsement form
- ◇ Hold Harmless Affidavit
- ◇ Site Plan detailing placement of tables and chairs on the sidewalk (only if this is a new application or there have been changes from the previous year's permit)
- ◇ Copy of valid Non-Intoxicating and/or Intoxicating Beverage license (if applicable)
- ◇ Aesthetics (photo/brochures of furniture, sample of materials, if any.)
- ◇ Application (Page 3)
- ◇ Check for application fee (\$5.00 for each seat located within the sidewalk café, with a minimum of \$100.00) made payable to the City of Bartlesville

Sidewalk Café Permit
SITE PLAN

Community Development Department

A 3-FOOT WIDE CLEAR PEDESTRIAN PASSAGEWAY MUST BE MAINTAINED AT ALL TIMES

Blank area for the site plan drawing.

**SITE PLAN AND A VALID PERMIT MUST BE DISPLAYED AND VISABLE. TABLES AND CHAIRS
MUST CONFORM TO THIS SITE PLAN.**

FOR SIDEWALK CAFÉ QUESTIONS OR CONCERNS, PLEASE CALL 918.338.4244

Check box, if approved to serve intoxicating and/or non-intoxicating beverages as provided by Oklahoma State Law and as approved by the ABLE Commission.

Intoxicating Beverages

Non-Intoxicating Beverages

Café Name: _____ Café Address: _____

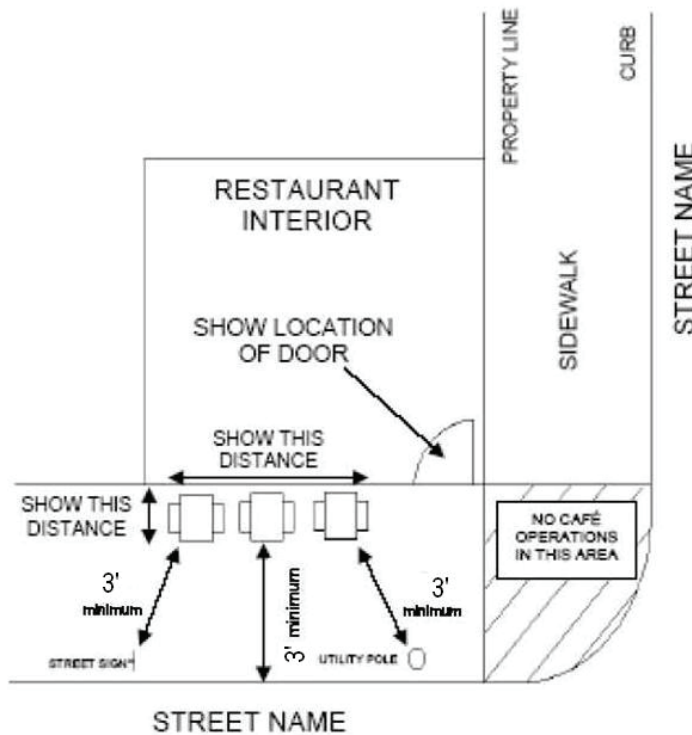
Approved By Chief Building Official: _____

Sidewalk Café Permit
SITE PLAN

Community Development Department

A 3-FOOT WIDE CLEAR PEDESTRIAN PASSAGEWAY MUST BE MAINTAINED AT ALL TIMES

Example Site Plan



SHOW AND LABEL ALL SIDEWALK OBSTRUCTIONS

**SITE PLAN AND A VALID PERMIT MUST BE DISPLAYED AND VISABLE TABLES AND CHAIRS
 MUST CONFORM TO THIS SITE PLAN**

FOR SIDEWALK CAFÉ QUESTIONS OR CONCERNS, PLEASE CALL 918.338.4244

Check box, if approved to serve intoxicating and/or non-intoxicating beverages as provided by Oklahoma State Law and as approved by the ABLE Commission.

- Intoxicating Beverages Non-Intoxicating Beverages

Café Name: _____ Café Address: _____

Approved By Chief Building Official _____

INSURANCE REQUIREMENTS FOR SIDEWALK USE PERMITS

This information will assist you and your insurance agent in complying with Village insurance requirements for a sidewalk café permit.

The City of Bartlesville Requires:

- Proof of Liability Insurance, with the City of Bartlesville named as an additional insured.
- Insured Address: City of Bartlesville
401 S Johnstone Ave
Bartlesville, OK 74003

AND

- An endorsement, on file with proof of insurance, naming the City of Bartlesville as an additional insured. List the endorsement used in the "DESCRIPTION OF OPERATIONS..." section of the certificate.

Minimum Requirements for General Liability Insurance

The insurance shall provide coverage in amounts equal to the liability limits for political subdivisions set forth in the Oklahoma Government Tort Claims Act, 51 O.S. 151 *et seq.* The renewal of said policy shall be received by the city at the time of annual permit renewal.

Regulations

The insurance certificate is intended to protect the public from any liability it may incur as a result of granting the requested permit.

Notification of Cancellation

The City of Bartlesville requires 30 (thirty) days notice mailed from the insurance company prior to cancellation of the policy.

Minimum requirements of Insurance Companies

Insurance coverage shall be insured by a company authorized and licensed to do business in the State of Oklahoma.

Submission

Fax: 918.338.4239

Mail: Please mail to the Insured Address above.

Questions

If you or your agent have any further questions, please call the Community Development Department at 918.338.4243.

City of Bartlesville Sidewalk Café Permit Endorsement
This Form to be Attached to Permittee's Proof of Insurance

INSURED: _____

AFFORDING CO: _____

POLICY NUMBER: _____

EFFECTIVE: _____

The policy shall bear also the following endorsement:

"Without prejudice to coverage otherwise existing herein, the City of Bartlesville and, its officers, agents, and employees are included as additional insureds under this policy as to any claim or claims for injury to person including death, or damage to property, resulting from or growing out of the operations of the permittee within the City of Bartlesville, OK.

It is understood and agreed that this policy shall not terminate or be canceled with out first giving thirty (30) days written notice of intention to terminate or to cancel said policy to the Community Development Department 401 S Johnstone, Bartlesville, OK 74003.

Notwithstanding the naming of additional insureds, the said policy shall protect each insured in the same manner as though a separate policy has been issued to each; but nothing herein shall operate to increase the insured's liability as set forth elsewhere in the policy beyond the amount or amounts for which the insured would have been liable if only one person or interest had been named as insured. The coverage applies as to claims between insureds on the policy. This endorsement assures that the policy complies with the terms and conditions of the named insured's permit with the City of Bartlesville."

Authorized Insurance Representative Signature

Date

Name & Address of Additional insured: City of Bartlesville
401 S Johnstone Ave
Bartlesville, OK 74003

HOLD HARMLESS AFFIDAVIT

_____ agrees to indemnify and hold the City of Bartlesville harmless and waive all claims against the City of Bartlesville for any loss, damage or injury of any kind or character whatsoever, sustained by any party whatsoever in connection with _____ operating a sidewalk cafe on City owned property.

I HAVE CAREFULLY READ THE FOREGOING HOLD HARMLESS AGREEMENT AND KNOW THE CONTENTS THEREOF AND HAVE SIGNED THIS DOCUMENT AS MY OWN FREE ACT.

I expressly agree that this Hold Harmless is intended to be as broad and as inclusive as permitted by the laws of the State of Oklahoma, and that if any portion thereof is held invalid, it is agreed that the balance shall notwithstanding, continue in full force and effect.

Signature of Corporate Officer

On this, the ____ day of _____, 20____, before me, the undersigned Notary Public of the State of Oklahoma, the foregoing instrument was acknowledged by _____ (name of corporate officer), _____ (title), of _____ (name of corporation), a _____ (state of corporation) corporation, on behalf of the corporation.

WITNESS my hand
and official seal

Notary Public, State of Oklahoma

Printed, typed or stamped name of Notary
Public exactly as commissioned