



COMMUNITY DEVELOPMENT DEPARTMENT

**Community Development Department**

300 Seminary Avenue

Ukiah, CA 95482

Email: [planningdivision@cityofukiah.com](mailto:planningdivision@cityofukiah.com)

Phone: (707) 467-5786

**OUTDOOR DINING PERMIT**

Business Owner's Name:		Business License Number:		Business License Exp. Date:	
Business Name/Doing Business As:			Business/Site Assessor's Parcel Number:		
Business/Site Address:					
Business Owner's Phone Number(s):			Business Owner's Email:		
Permittee's Name (If different than Business Owner above):					
Permittee's Mailing Address:					
Permittee's Phone Number(s):			Permittee's Email:		
Property Owner's Name:					
Property Owner's Mailing Address:					
Property Owner's Phone Number(s):			Property Owner's Email:		
Improvements/items included in Outdoor Dining Facility (check all that apply): <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input type="checkbox"/> Café table and chairs</div> <div style="width: 33%;"><input type="checkbox"/> Planter</div> <div style="width: 33%;"><input type="checkbox"/> Bike rack(s)</div> <div style="width: 33%;"><input type="checkbox"/> Barrier/fencing</div> <div style="width: 33%;"><input type="checkbox"/> Bench</div> <div style="width: 33%;"><input type="checkbox"/> Umbrellas</div> <div style="width: 33%;"><input type="checkbox"/> Canopy/Awning</div> <div style="width: 33%;"><input type="checkbox"/> Other: _____</div> </div>					
Type of Surface: <input type="checkbox"/> Bison/Buzon/Elevated Deck Systems/AWS <input type="checkbox"/> Pavers/brick over Sand <input type="checkbox"/> Poured in Place Concrete <input type="checkbox"/> Sidewalk <input type="checkbox"/> Parking Space/Asphalt					
Number of Parking Spaces Used: (round up for any partial use of parking space):			Square footage of any public sidewalk area utilized for outdoor dining or associated improvements:		
A usage fee (calculated at \$.25 per square foot) is applied for the total square footage of any parking space or public sidewalk area used. Partial use of a parking space is calculated based on the total square footage of the parking space.					
Will the item(s) be removed at the close of business each day? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Will the Outdoor Dining Facility include heaters? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, approval from the Building & Fire Prevention Divisions is required)					
Will music be provided? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, please describe type of music provided) Note: Some types of music require application for and approval of a Minor Use Permit.					
Is any signage proposed? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, show this on the plans)					

Will alcohol be served within the Outdoor Dining Facility?

☐ No ☐ Yes

Note: Serving alcohol is allowed only when in compliance with the requirements for alcoholic beverages included in the Program Guidelines and UCC section 6000(b). Information and documentation demonstrating compliance is required to be submitted as part of this application.

Is this Outdoor Dining Permit Application (check one):

☐ New Application ☐ Annual Renewal

### Submittal Requirements Checklist

(for additional information see the Outdoor Dining Program Guidelines):

- ☐ **Outdoor Dining Permit** (Completed and Signed)
- ☐ **Site Plan** (5 copies, see Program Guidelines for information required to be provided on the site plan)
- ☐ **Furnishings Specifications/Details** (e.g. tables, chairs, umbrellas, heaters, planters, fencing/barriers, etc.)
- ☐ **Lighting Plan** showing fixture and lamp type, location, and number
- ☐ **Operational Schedule** (days, hours, and months of operation)
- ☐ **Project Area Photos** (include adjacent buildings & windows to demonstrate impact on neighboring businesses)
- ☐ **Evidence of Comprehensive Liability Insurance**
- ☐ **Evidence of Workers Compensation**
- ☐ **Hold Harmless Indemnification Agreement** (Signed)
- ☐ **Copy of City of Ukiah Business License for the Restaurant associated with the Outdoor Dining Facility Outdoor**
- ☐ **Dining Program Fee (\$250) / Annual Renewal Fee (\$50)**
- ☐ **Usage Fee** (Calculated at 25-cents per square foot times the square footage of the parking space(s) or sidewalk area used.

The usage fee is based on the total square footage of any parking space or sidewalk area used. Partial use of a parking space is calculated based on the total square footage of the parking space since the parking space is rendered unusable).

**Please Note:** If the property owner is different than the business owner and/or permittee, a courtesy notice informing the property owner of the submittal of this application along with a copy of the completed application will be sent to the property owner. The intent of the courtesy notice is to inform the property owner of the application and to provide an opportunity for the property owner to review the application and plans. The notice to the property owner does not grant the property owner the ability to approve, deny, or place conditions on the permit.

I certify that the information provided in this application and associated plans and submittal documents are true and accurate to the best of my knowledge. I hereby authorize employees of the City of Ukiah, the City's authorized agents, and persons with review or decision making authority for the permit to enter upon the subject property, as necessary, to inspect the premises, post notices, and process this application.

**Business Owner/Permittee Name:**

**Business Owner/Permittee Title:**

**Business Owner/Permittee Signature:**

**Date:**

### General Permit Requirements

1. All additional requirements applied to this permit (see below).
2. The outdoor dining facility shall be in conformance with the approved plans, specifications and details, and all conditions and requirements placed on the Permit for the outdoor dining facility.
3. The outdoor dining facility shall comply with California State accessibility standards and federal ADA requirements.
4. Permanent changes to the public right of way are not permitted. Any street, sidewalk, or City improvements, furnishings, and utilities damaged or destroyed by the outdoor dining use and/or facility shall be replaced to City standards with the cost borne by the permittee.
5. Furnishings and decorations shall not encroach beyond the permitted use area or overhang pedestrian or vehicular circulation paths.
6. All outdoor dining facility furnishings shall be maintained in a safe and clean condition. Furnishings shall be secured within the Outdoor Dining facility or stored indoors nightly.
7. The approved outdoor dining facilities shall be maintained in an attractive, clean (free from spills, litter and other debris) and safe manner.
8. No signage shall be allowed in the outdoor dining area except for the name of the establishment on an umbrella fringe and in compliance with this Section and UCC Division 3, Chapter 7 (Sign Ordinance, UCC Section 9224.8(D8)).
9. To minimize litter and debris, where table wait service is provided, or food is served to the customer on a tray to be taken and eaten on site in the dining area, plates, glasses, cups and silverware made of permanent (non-disposable) materials such as glass, ceramic, and metal shall be required. Beverage, or "cocktail" napkins are prohibited. The use of disposable food containers and utensils is permitted only where food is served to the customer "to go."
10. To minimize litter and debris, trash and refuse receptacles shall not be permitted within the area designated for the outdoor dining and the permittee shall remove trash and litter as they accumulate.
11. An outdoor dining installation in the street will impede regular mechanical street sweeper operations. The Permittee or his/her designee shall pick up all leaf litter and other debris up on the street, gutter, and drainage way areas adjacent to, and under, the outdoor dining installation on a weekly or as needed basis. Drainage ways shall be checked for blockages prior to, and after, rain events.
12. This Permit is valid from the date of permit approval to December 31. The applicant may be renewed as provided for in the Outdoor Dining Permit Program Guidelines. Annual renewal of the permit is required.
13. An Outdoor Dining Program Permit is an interruptible privilege. The City may interrupt the operation of an outdoor dining use at any time due to anticipated or actual conflicts. Such conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades or marches, repairs or upgrades to the street, sidewalk, utilities, or other public improvement within the public right of way, or demonstrations or emergencies occurring in the area. Outdoor dining uses shall be permitted to continue during special events unless the City of Ukiah specifically requests that the use temporarily discontinue for the duration of the event. Such request may include the removal of all use furnishings.
14. **Insurance Requirements:** The Business shall procure and maintain for the duration of the permit General Liability insurance against claims for injuries to persons or damages to property which may arise from or in connection with the right-of-way encroachment. The General Liability coverage and policy is to contain, or to be endorsed to contain, the following provisions:
  - A certificate of General Liability insurance in the minimum amount of \$2,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If commercial general liability insurance or other form with a general aggregate limit is used, either the general aggregate shall apply separately to this project/location or the general aggregate shall be twice the required occurrence limit.
  - The City, its officers, officials, employees, and volunteers and the property owner are to be covered as additional insured with respect to liability arising out of the public right-of-way encroachment owner, leased, hired, or borrowed by or on behalf of the Business; and with respect to liability arising out of right-of-way encroachment on behalf of the Business including materials, parts, or equipment in connection with such right-of-way encroachment. General liability coverage can be provided in the form of an endorsement to the Business's insurance, or as a separate owner's policy.
  - The Business's insurance coverage shall be primary as respect to the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Business's insurance and shall not contribute with it.
  - The insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
  - Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in anywhere an agreement to indemnify the additional insured would be invalid under subdivision (b) of section 2782 of the Civil Code.
15. Outdoor Dining Program Permits are not transferable to a new owner and/or location.
16. Permittee agrees to waive any claim it might have against the City of Ukiah ("City") or its officers and employees for death to

any person, personal injury, or property damage, resulting from the use of City right-of-way for the right-of-way encroachment authorized by this permit. Permittee agrees to indemnify and hold the property owner and the City and their officers and employees harmless from and against any claim by any person or entity arising out of Permittee's activities under this permit, for damages resulting from the death of any person, personal injury, or property damage, including all costs associated with defending against any such claim, except for deaths, personal injuries, or property damage resulting solely and exclusively from the active negligence of the property owner and/or City or their officers or employees.

I have read and agree to comply with all of the above.

**Signatures for Indemnification Agreement and Agreement to Comply with Permit Requirements**

**Business Owner/Permittee Name:**

**Business Owner/Permittee Title:**

**Business Owner/Permittee Signature:**

**Date:**

**STAFF USE ONLY**

**Number of Parking Spaces Removed and/or Sidewalk Area Utilized:**

**Special Conditions Applied to this Permit?**

☐ Yes ☐ No

**Outdoor Heaters Approved as Part of this Permit?**

☐ Yes ☐ No ☐ N/A

**Live or Non-Live Entertainment Included As Part of this Permit?**

☐ Yes ☐ No If yes, type of entertainment:

**Alcohol Service Approved as Part of the Permit?**

☐ Yes ☐ No If yes, ABC license number and license type:

**Business is open for at least the minimum number of days and hours (days, hours, and months of operation) required by the Outdoor Dining Program requirements adopted by the City Council?**

☐ Yes ☐ No

**Comprehensive Liability Insurance** (policy # and expiration date):

**Evidence of Workers Compensation** (policy # and expiration date):

**Building - Reviewed and Approved by (signature & date):**

**Public Works - Reviewed and Approved by (signature & date):**

**Planning - Review and Approved by (signature & date):**

**Other – Review and Approved by (signature & date):**

**Risk Management - Review and Approved by (signature & date):**

**Amount of Usage Fee for this Permit:**

**Program Fee for the Permit (new/renewal):**

**\$ Total Fee for this Permit:**

\$

\$

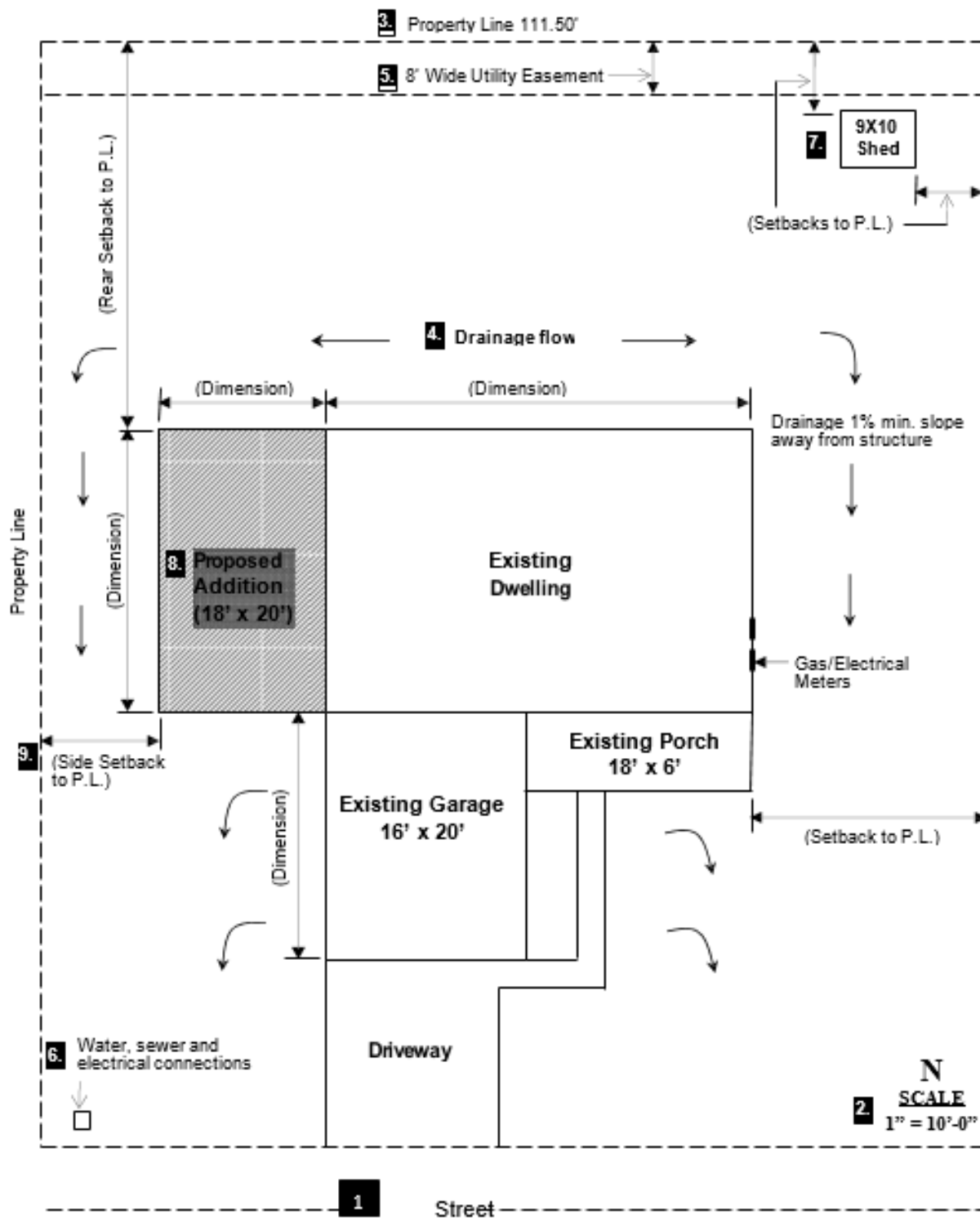
**Effective Date:**

**Expiration Date:**

**Date Issued:**

**Issued By:**

**Outdoor Dining Permit Number:**



### CHECKLIST

1. Street name, driveway, sidewalk, landscaping
2. Drawing scale, north arrow
3. Lot dimensions, property lines
4. Lot drainage flow arrows (call out slope 1% min. away from structure), grading, swales
5. Easements, utilities
6. On-site water system (septic or well systems, if any)
7. Label and locate existing buildings and other physical structures
8. Label and locate proposed additions, retaining walls and other physical structures
9. Setback distances to property lines, easements and distances to other structures

**SITE PLAN**  
(Sample Only)

## Symbols

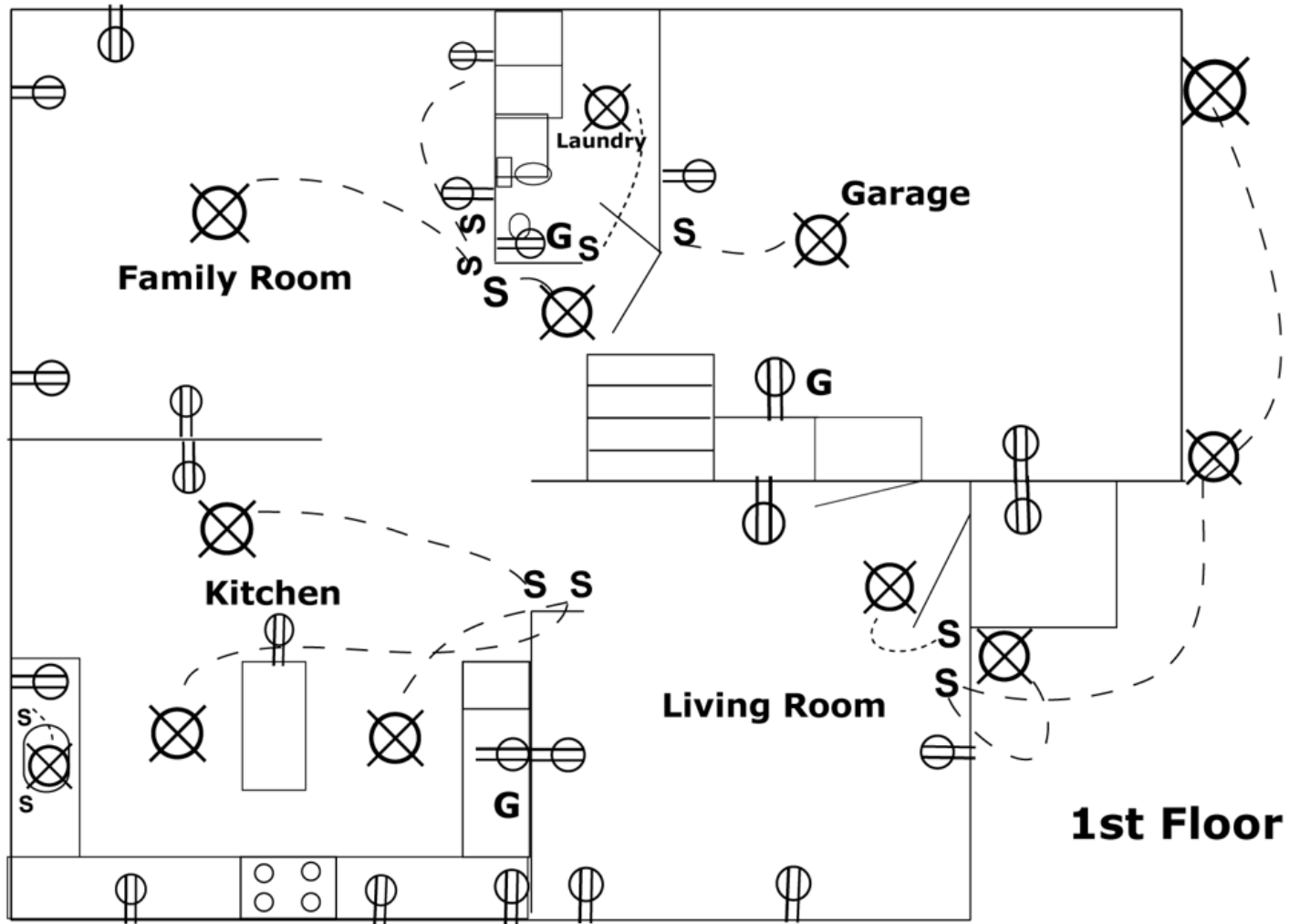
 Receptacle

 **G** GFI Receptacle

 Light Fixture

**S** Switch

 Switch Wiring



**1st Floor**

**FLOOR PLAN**  
(Example Only)

**CERTIFICATE OF INSURANCE**  
**CITY OF UKIAH**

ISSUE DATE (MM/DD/YY)

PRODUCER

THIS CERTIFICATE OF INSURANCE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICES BELOW.

**COMPANIES**

**BEST'S RATING**

COMPANY

LETTER **A**

COMPANY

LETTER **B**

COMPANY

LETTER **C**

COMPANY

LETTER **D**

COMPANY

LETTER **E**

INSURED

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS	
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCURRENCE  <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT.  <input type="checkbox"/> OTHER				GENERAL AGGREGATE	\$
					PRODUCTS COMP/OPS AGGREGATE	\$
					PERSONAL & ADVERTISING INJURY	\$
					EACH OCCURRENCE	\$
					FIRE DAMAGE (any one fire)	\$
					MEDICAL EXPENSES (any one person)	\$
	<b>AUTOMOTIVE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY				COMBINED SINGLE LIMIT	\$
					BODILY INJURY (per person)	\$
					BODILY INJURY (per accident)	\$
					PROPERTY DAMAGE	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> UMBRELLA <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE	\$
					AGGREGATE	\$
	<input type="checkbox"/> WORKER'S COMPENSATION  AND  EMPLOYER'S LIABILITY				STATUTORY	
					EACH ACCIDENT	\$
					DISEASE - POLICY LIMIT	\$
					DISEASE - EACH EMPLOYEE	\$
	<b>PROPERTY DAMAGE</b> <input type="checkbox"/> COURSE OF CONSTRUCTION				AMOUNT OF INSURANCE	\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

**THE FOLLOWING PROVISIONS APPLY:**

- None of the above-described policies will be canceled until after 30 day's written notice has been given to the City at the address indicated below.
- The City, its officials, officers, employees, and volunteers are added as insureds on all Liability Insurance Policies listed above.
- It is agreed that any insurance or self-insurance maintained by the City will apply in excess of and not contribute with, the insurance described above.
- The City is named a loss payee on The Property Insurance Policies described above, if any.
- All rights of subrogation under the Property Insurance Policy listed above have been waived against the City.
- The Worker's Compensation Insurer named above, if any, agrees to waive all rights of subrogation against the City for injuries to employees of the insured resulting from work for the City or use of the City's premises or facilities.

**CERTIFICATE HOLDER/ADDITIONAL INSURED**  
(CITY)

City of Ukiah  
300 Seminary Avenue  
Ukiah, CA 95482-5400

**AUTHORIZED REPRESENTATIVE**

**SIGNATURE:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**PHONE NO.:** \_\_\_\_\_