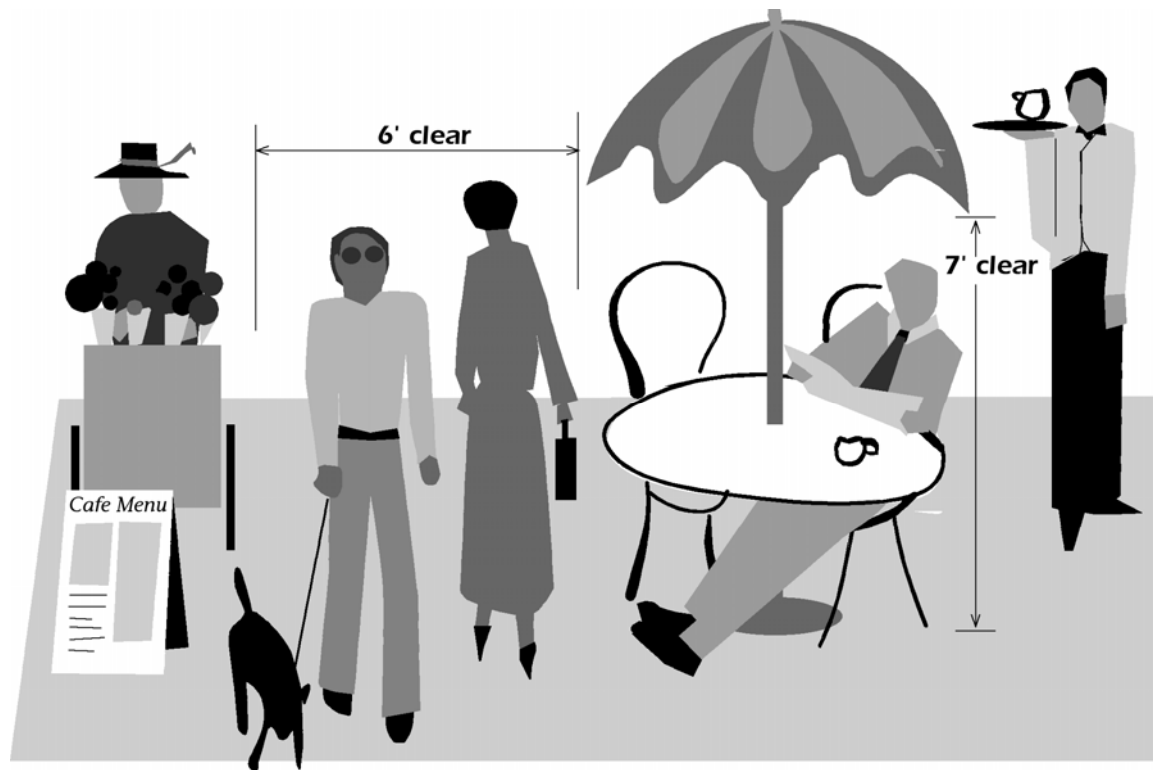


City of Portland

# SIDEWALK CAFÉ

Application Packet



## TABLE OF CONTENTS

SIDEWALK CAFÉ REQUIREMENTS	1
APPLICATION INSTRUCTIONS FOR SIDEWALK CAFES	2
APPLICATION FOR SIDEWALK CAFÉ PERMIT	3
EXAMPLE 1--SIDEWALK CAFÉ	4
EXAMPLE 2--SIDEWALK CAFÉ ON TRANSIT MALL/LIGHT RAIL	5
CHECKLIST FOR GENERAL LIABILITY INSURANCE	6
GENERAL LIABILITY INSURANCE REQUIREMENTS	7
INSURANCE ENDORSEMENT FORM	8

# **SIDEWALK CAFÉ REQUIREMENTS**

## **WHAT IS A SIDEWALK CAFÉ?**

City Code defines operating a sidewalk café as serving food or beverages from a café or restaurant to patrons seated at tables within the sidewalk area adjacent to the café or restaurant. Operating a sidewalk café in the City of Portland requires a permit. The permit fee is \$10 per calendar year. Sidewalk cafes typically consist of tables and chairs arranged in a single row on the sidewalk.

## **SIDEWALK WIDTH REQUIREMENTS**

Sidewalk cafes are only allowed in commercial zones where the sidewalk can accommodate a sidewalk café and a 6 foot clear pedestrian passageway.

All sidewalk must maintain a clear passageway of at least 6 feet for pedestrians at all times. Sidewalk cafes located on the Transit Mall or Light Rail streets must provide 8 feet of clear passageway. Any sidewalk café located on Transit Mall or Light Rail streets must locate along the curb side of the sidewalk (see page 5) and are not allowed where there are bus or light rail loading or unloading areas.

Sidewalk cafes are covered in Section 17.25 of City Code. Please check the City's web site for further information at [www.ci.portland.or.us](http://www.ci.portland.or.us).

In determining the proposed layout for your sidewalk café, please consider:

- All existing sidewalk obstructions such as sign and signal poles, bike racks (leave room for the bikes), bus zones, fire hydrants, sidewalk furniture, street trees, tree wells, sidewalk elevators, phone booths, mail boxes, newspaper racks, etc.
- Sidewalk width requirement:
  - Cafes located on the Transit Mall or Light Rail streets must provide a clear pedestrian passageway of 8 feet.
  - All other cafes must maintain a clear width of 6 feet for pedestrians at all times.
  - Keep table umbrellas securely attached to tables, always provide a minimum height of seven feet height clearance and ensure the umbrellas don't encroach into the six feet clear zone.
- Any café located on a Transit Mall or Light Rail street must locate along the curb side of the sidewalk in an area that does not have bus loading or unloading.

## **SIDEWALK CAFÉ PERMIT APPLICATION INSTRUCTIONS**

1. Make a drawing of the proposed area to be used for the sidewalk café. Clearly identify the sidewalk obstructions (as mentioned previously), label all doorways to the interior of the building and provide accurate dimensions of the length and width of your café area. It is not necessary to make this drawing to scale, but please provide accurate dimensions (see pages 4 & 5 for examples). This information will be used as the “Exhibit” to show the area approved by the City Engineer for your sidewalk café.
2. Obtain a certificate of insurance from your agent that meets all of the City of Portland’s requirements for City permits (see pages 6-8).
3. Complete the application (page 3). Have the property owner sign and complete the application where indicated.
4. Enclose a \$10 check payable to: The City of Portland

Submit to:                               City of Portland  
  Transportation/Sidewalk Cafes  
  1120 SW 5<sup>th</sup> Ave Suite 800  
  Portland, OR 97204

If you have any questions or need further information, please phone 503-823-7002 (menu number 5).

Once you receive your sidewalk café permit, your responsibilities as the sidewalk café operator include:

- Making sure that the sidewalk café in no way interferes with pedestrians or limits their free and unobstructed passage;
- Maintaining the sidewalk and all objects placed on the sidewalk in a clean and attractive condition;
- Providing trash containers for use by the café patrons if throw-away products (utensils, cups, plates, etc.) are used.



Jim Francesconi, Commissioner  
 1120 SW 5<sup>th</sup> Avenue  
 Portland, Oregon 97204  
 (503) 823-7002  
 FAX (503) 823-4554  
 TDD 823-6868

**APPLICATION FOR SIDEWALK CAFÉ PERMIT**

Application is hereby made for a revocable permit to operate a SIDEWALK CAFÉ in accordance with Chapter 17.25 of the Code of the City of Portland.

Restaurant \_\_\_\_\_

Address \_\_\_\_\_ ZIP \_\_\_\_\_

Sidewalk Café permit renewal   
 YES

By checking YES box the applicant acknowledges there are no changes from last years permit and current insurance is on file with the City of Portland Office of Transportation.  
**(Please stop, enclose permit fee, and submit application)**

Contact Person \_\_\_\_\_

Phone # \_\_\_\_\_ Business License # \_\_\_\_\_  
 (Expiration Date) \_\_\_\_\_

Property Owner (Print) \_\_\_\_\_ Phone # \_\_\_\_\_

Property Owner Signature \_\_\_\_\_

Property Owner Address \_\_\_\_\_  
 \_\_\_\_\_

I shall hold the City of Portland, its officers, agents and employees free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including appeals therefrom, which may result from granting of this permit.

APPLICANT SIGNATURE \_\_\_\_\_(print) \_\_\_\_\_

Date \_\_\_\_\_

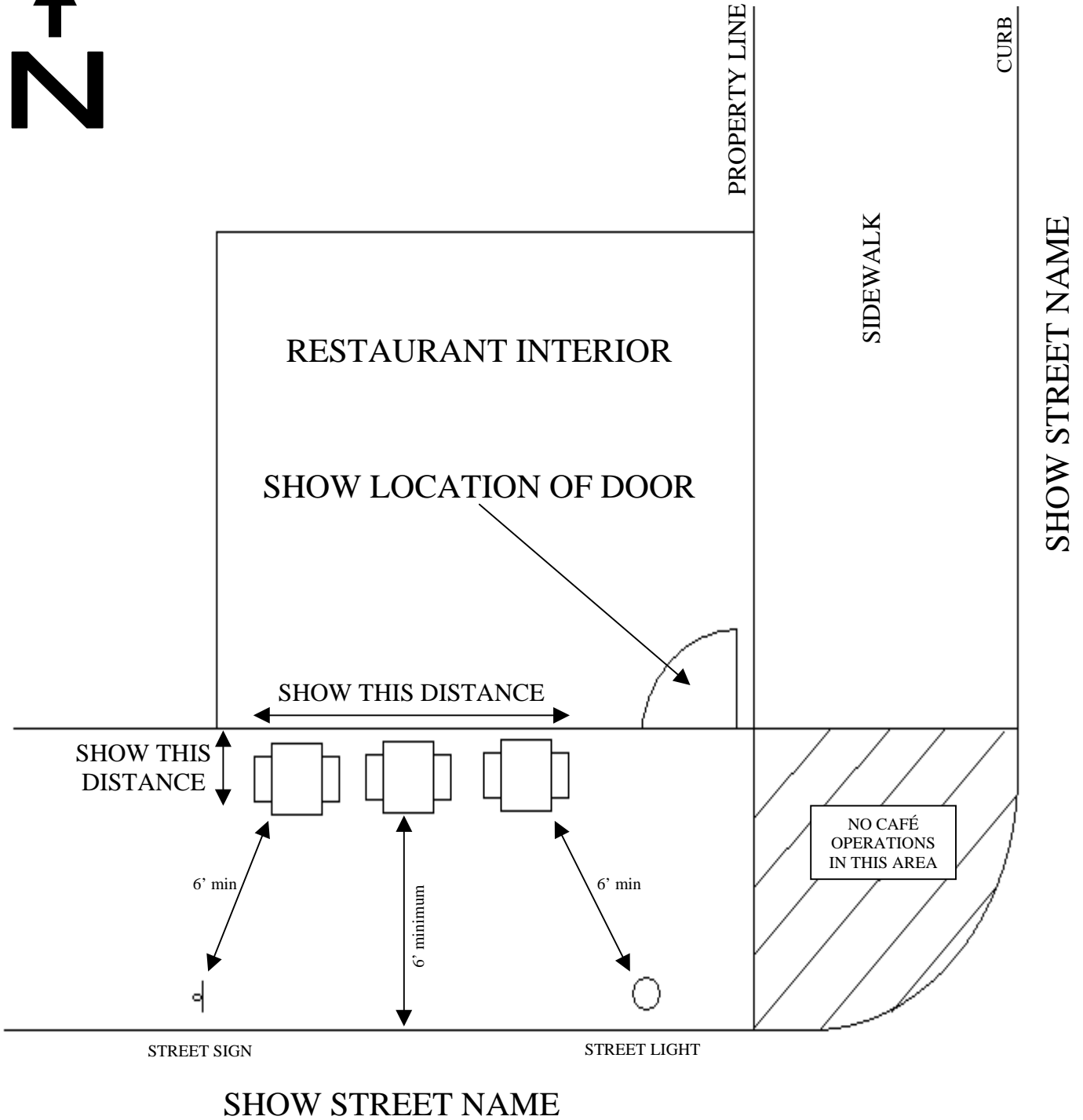
Approved by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_

Please submit with this page:

1. Diagram of area and proposed cafe
2. Certificate of insurance and endorsement form
3. Check for the amount of permit--\$10

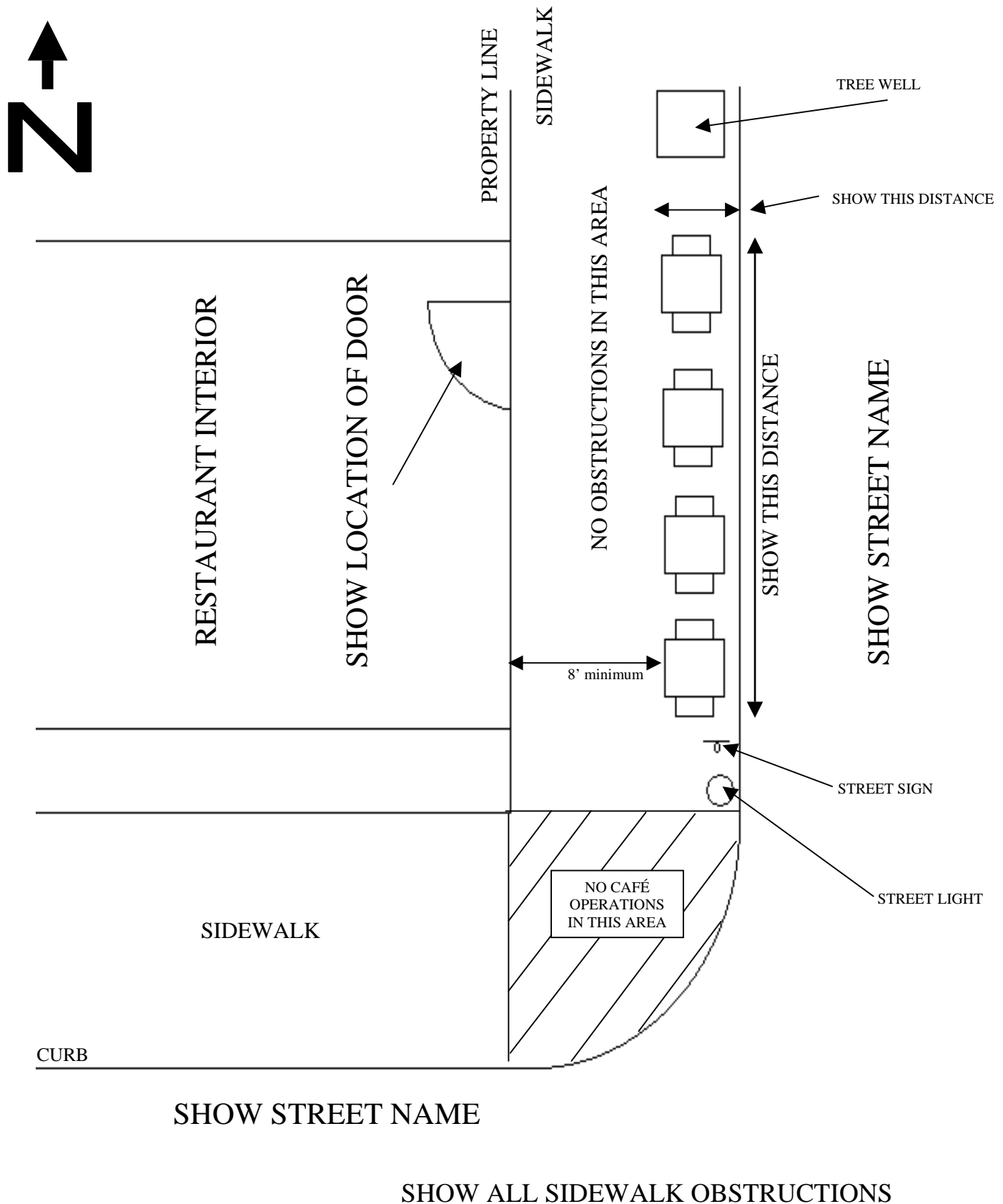
Submit to: City of Portland  
 Transportation/Sidewalk Cafes  
 1120 SW 5<sup>th</sup> Ave, Suite 800  
 Portland, OR 97204

# Example – Sidewalk Café



SHOW ALL SIDEWALK OBSTRUCTIONS

## Example 2 – Sidewalk Café on Transit / Light Rail



## **CHECKLIST FOR CERTIFICATE OF INSURANCE**

**This checklist, along with pages 7 and 8 of this document provides you with detailed insurance requirements for City permits. Providing your insurance agent with these three pages should ensure a complete, accurate application.**

**Please verify that:**

1. Agent's name and address are indicated;
2. Insured's name and address are indicated (insured must be the same entity as the permittee);
3. Policy number is indicated;
4. Policy period is current (effective/expiration dates);
5. Minimum coverage of \$500,000 for each occurrence is indicated;
6. Minimum 30 day notice of cancellation is indicated;
7. The City is listed as the certificate holder;
8. The certificate has been signed by the insurance agent;
9. The policy is written on an occurrence basis;
10. Additional insured: The permittee can name the City as an additional insured by attaching an endorsement to the certificate of insurance. This endorsement can be either the City's model form (page 8) or Insurance Services Organization (ISO) for CG 2012.

All Insurance documentation & questions should be directed to Sundee Hamrick

Mailing Address & Phone:

City of Portland  
Street Systems Management  
ATTN: Sundee Hamrick  
1120 SW 5th Avenue, Room 825  
Portland OR 97204-1971  
(503) 823.7614  
(503) 823.4554 Fax

## INSURANCE REQUIREMENTS FOR CITY PERMITS

PLEASE ALLOW 4 TO 6 BUSINESS DAYS FOR PROCESSING.

### The City of Portland requires:

1. A Standard Certificate of Liability Insurance, with the City of Portland named as the Certificate Holder (see address below).
2. An additional insured endorsement naming the City of Portland as an additional insured. The following types of endorsements are acceptable:
  - A. the attached endorsement form (the City form), OR
  - B. a CG 20 12 11 85 (a standard insurance industry form for 'Additional Insured - State or Political Subdivisions - Permits')

### Minimum Requirements for Liability Insurance

- \$ 50,000 - per claimant for property damage;
- \$200,000 - per claimant for all other claims arising out of a single accident or occurrence;
- \$500,000 - for any number of claims arising out of a single accident or occurrence; or
- \$500,000 - combined single limit (or general aggregate) policy.

### Purpose of Permit

In the section of the certificate "DESCRIPTION OF OPERATIONS/LOCATIONS...", please indicate any specific information regarding the permit. For example is this for a street or lane closure, sidewalk cafe, sidewalk vending, etc.? If there is a specific address, please list, otherwise indicate 'all operations.' Also, please reference the additional insured endorsement in this section.

### Cancellation Notification

Please note that the City of Portland requires thirty (30) days notice from the insurance company prior to terminating or canceling the policy.

### Additional Insured Endorsement - Option A: the City form

Please give all required information on the top section of the form: Insured Person or Business, Name of Insurance Company, Policy Number, Effective Dates of the policy. Please make sure that it is signed by an authorized person at your insurance company (usually an underwriter) and dated.

### Additional Insured Endorsement - Option B: the CG 20 12 11 85

Please fill in the **Policy Number** on the additional insured form. In the section "State or Political Subdivision" type "**City of Portland.**" In addition, typing the name of the insured person or business is highly recommended (in case paperwork gets separated).

### Regulations

The insurance certificate is intended to protect the public from any liability it may incur under the Oregon Tort Claims Act as a result of granting the requested permit. The insurance certificate and the endorsement must be approved by the City Attorney before we issue the permit.

ORS 30.270 sets the current liability limit under the Oregon Tort Claims Act. The City of Portland will require proof of insurance in amounts corresponding to the Tort Claims Act limits.

### Official Mailing Address:

City of Portland  
Street Systems Management  
ATTN: Sundee Hamrick  
1120 SW 5th Avenue, Room 825  
Portland OR 97204-1971

If you have any further questions, please call Street Systems Management at (503) 823-7614.  
Fax number (503) 823-4554.

S:Genoff/form/Insurance Requirements  
June 3, 2002



**This Form to be Attached to Permittee's Certificate 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 Portland, 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 Portland, Oregon."**

**"It is understood and agreed that this policy shall not terminate or be canceled without first giving thirty (30) days written notice of intention to terminate or to cancel said policy to the Office of the City Engineer, 1120 SW 5th Avenue, Room 825, Portland, Oregon 97204-1971."**

**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 Portland."**

\_\_\_\_\_  
Authorized Insurance Representative Signature

\_\_\_\_\_  
Dated

Name & Address of Certificate Holder:  
City of Portland  
City Engineer  
1120 SW 5th Avenue, Room 825  
Portland, OR 97204-1971