



# Non-exclusive Right-of-Way Permit Conditions

## Parklets

Initial boxes and sign bottom of the form

A site plan is required illustrating area. (Attach to application or this form.)

Shall indemnify, defend, and hold the city and its employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the city due to any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant shall furnish a policy or certificate for comprehensive general liability insurance with the city named as an additional insured. Such certificate of insurance shall be in the amount of one million dollars (\$1,000,000.00) per claim or occurrence. A copy of the most current policy or certificate must be filed with the city clerk.

If alcohol will be present, then:

A separate Alcohol permit shall be submitted.

Per City Code 7-14-3: INSURANCE AND INDEMNIFICATION REQUIREMENTS: The permit holder must indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the City due to any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, prior to the permit being issued, applicant must provide proof of applicant's liability insurance issued by a reliable company or companies for personal injury and property damage, and which includes alcohol liability coverage, in an amount not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate per year for bodily injury, personal injury, and property damage, with the City named as an additional insured. (Ord. 3252, 5-20-2019)

This permit is valid for typical daily business operations all other events shall be appropriately permitted.

2012 IFC, section 1030.2 Reliability. Required exit access, exits and exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency when the building area served by the means of egress is occupied. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.

Keep a minimum of 48 inches clear on all sidewalks or accessible paths.

Do not block any entrances or ADA accessible features.

Clean-up of the area is the responsibility of the applicant such as trash removal, cleanup of spills, etc.



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Area will be shut down and cleaned up by 11 pm daily.

No marking/painting of any public right-of -ways infrastructure.

Snow and debris removal shall be done by the applicant on and around any features placed by the applicant.

This area is open to the public and all features are to be ADA accessible.

Parklet to be installed on or after April 15<sup>th</sup> and taken down on before November 1<sup>st</sup>.

Failure to comply with the above conditions will result in a warning after the first complaint. If the issue is not resolved, or additional complaints are received the permit may be revoked.

By signing these conditions, the applicant acknowledges that the approval is only for the time period April 15, 2021 to November 1, 2021.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_