

# CITY OF SPRINGFIELD, OREGON

## DEVELOPMENT AND PUBLIC WORKS



225 FIFTH STREET  
SPRINGFIELD, OR 97477  
PHONE: 541.726.3753  
FAX: 541.736.1021  
[www.springfield-or.gov](http://www.springfield-or.gov)

### CITY OF SPRINGFIELD APPLICATION FOR SIDEWALK CAFÉ PERMIT

Under City of Springfield Resolution 2020-05, a business located within the City of Springfield, Oregon may apply for Temporary Outdoor Café Seating permit for the purpose of providing food and beverage service in an expanded Right of Way Use area.

- By checking this box, you are requesting a waiver of associated fees and noting your application is specific to temporary rules and allowances provided during the COVID19 specific City declared state of emergency. By use of this Resolution, you are agreeing that all proposed seating 'facilities' will be temporary in nature and removed from public areas nightly.

1. Applicant: \_\_\_\_\_

2. Business Name: \_\_\_\_\_

3. Address: \_\_\_\_\_ Phone: \_\_\_\_\_

4. Property Owner: \_\_\_\_\_

5. Describe facilities to be placed on sidewalk: *(attach a drawing to scale showing the full width of sidewalk; location of any permanent structures – signs, utility poles, etc.; entrances to building, as well as facilities to be placed for sidewalk café.) \*If utilizing the temporary Resolution 2020-05 allowance, please indicate any additional public spaces (parking, planting areas, etc.) which are proposed for use. All facilities must be temporary.*

6. Will planter boxes or any other thing that cannot be removed from the sidewalk during non- business hours be installed? If so, describe. *\*Not eligible under temporary application through Resolution 2020-5.:*

7. There is an application fee for a sidewalk café permit. The permit is for one year and is renewable. The fee can be located at: <https://www.springfield-or.gov/> under the “Business -> Master Fees and Charges” dropdown menu. \* *This fee may be waived under Resolution 2020-05.*

By signing and submitting this application I agree, that if the application is approved I will assume all risk of loss and defend, indemnify and save harmless the City of Springfield, its officers, agents, and employees, against any and all liability arising out of the placement or use of the facilities described in and covered by this permit. I further agree that I will maintain the facilities in good order and repair at all times. I acknowledge that this permit is revocable on 24 hours notice in the event I fail to fulfill each and all of these responsibilities.

Applicant \_\_\_\_\_ Date \_\_\_\_\_

I understand and acknowledge that my tenant has applied for the permit described herein, and that I approve of this request. I agree that I release the City of Springfield from any and all liability, of whatever kind, resulting from the placement or use of the facilities described in and covered by this permit.

Property Owner \_\_\_\_\_ Date \_\_\_\_\_

## **DOWNTOWN DISTRICT OUTDOOR CAFÉ PERMIT IN PUBLIC RIGHT-OF-WAY**

### **7.900 Revocable Permit.**

In the downtown district only, the city manager, or the manager's designee, may issue a revocable permit for an outdoor café allowing for the service of food and beverages at facilities placed on sidewalks within the public right-of-way abutting an existing eating establishment under the following conditions:

- (1) The owner of the abutting eating establishment agrees to defend, indemnify and hold harmless the city from all risks associated with activity occurring within the right-of-way, or submits a certificate of insurance acceptable to the public works director;
- (2) The owner of the real property on which the eating establishment is located consents in writing to the issuance of the permit;
- (3) The permit applicant demonstrates that the use of the right-of-way will not interfere with existing utilities, pedestrian use of the right-of-way nor pose a hazard to vehicular traffic;
- (4) The permit applicant obtains any other necessary state and local permits. [Section 7.900 added by Ordinance No. 6122, enacted April 4, 2005.]

### **7.902 Purpose.**

For purposes of sections 7.900 through 7.908, the term "downtown district" shall include all that property bordered on the west by Mill Street, on the east by 10th Street, on the north by A Street and on the south by South A Street. [Section 7.902 added by Ordinance No. 6122, enacted April 4, 2005.]

### **7.904 Application.**

Individuals desiring a permit shall submit an application in the form required by the city accompanied by sketch, with appropriate dimensions marked, showing the placement of all facilities to be placed in the right-of-way. The application shall be accompanied by a fee fixed by resolution of the council. [Section 7.904 added by Ordinance No. 6122, enacted April 4, 2005.]

### **7.906 Permit Duration.**

- (1) Any permit issued hereunder will be valid for a period of one year, and renewable.
- (2) The permit may be revoked, on not less than 24 hours' notice, in the event that the business owner does not adequately maintain the facilities in the right-of-way, places facilities beyond the permit area, the facilities obstruct pedestrian traffic, or the facilities pose a hazard to vehicular traffic.
- (3) Any permit issued shall lapse on any change of ownership of the business holding the permit. [Section 7.906 added by Ordinance No. 6122, enacted April 4, 2005.]

### **7.908 Permit Requirements.**

The permit may authorize the applicant to place tables, chairs, and appropriate decorative amenities, such as flower planters, on the sidewalk adjacent to the establishment. Placement must be such that pedestrians have unimpeded access to the curb and do not need to pass between the establishment and things placed on the sidewalk. At all times there shall be at least 60 inches of unimpeded sidewalk available for the use of pedestrians. If items are placed abutting the building line, the perimeter of the permit area shall be marked by a safety barrier. [Section 7.908 added by Ordinance No. 6122, enacted April 4, 2005.]