



PERMIT # _____

**CITY APPROVAL FOR
 PARKING/STREET CLOSURE**
 Engineering
 Planning
 Transportation

**TEMPORARY ENCROACHMENT PERMIT
 APPLICATION FOR DOWNTOWN BUSINESSES**

Use this form to request temporary use of public right of way (ROW) for outdoor dining or retail on the following streets:

<input type="checkbox"/> SALVIO ST. between Galindo St. and Grant St.	<input type="checkbox"/> WILLOW PASS ROAD between Mt. Diablo St. and Grant St.
<input type="checkbox"/> MT. DIABLO ST. between Salvio St. and Concord Blvd.	<input type="checkbox"/> GRANT ST. between Salvio St. and Concord Blvd.
<input type="checkbox"/> COLFAX ST. between Salvio St. and Concord Blvd.	

Email completed application to: Zoning@CityofConcord.org with Items 1-3 (Checklist, Application and Acknowledgement).

BUSINESS OWNER	PHONE	
BUSINESS NAME	E-MAIL ADDRESS	
BUSINESS ADDRESS	CITY	ZIP
PROPERTY OWNER	PHONE	
MAILING ADDRESS	CITY	ZIP

If requested encroachment extends in front of any other businesses, list all affected businesses and owner approval below:

AFFECTED BUSINESS OWNER AND ADDRESS	SIGNATURE*
AFFECTED PROPERTY OWNER	SIGNATURE*
AFFECTED BUSINESS OWNER AND ADDRESS	SIGNATURE*
AFFECTED PROPERTY OWNER	SIGNATURE*

***By signing above, the affected business owner acknowledges and does not object to the proposed encroachment fronting the affected business.**

Encroachment Type: Sidewalk Parking Space Street Closure Other: _____

Site Plan Attached: Yes No **Insurance Certificate and Endorsement:** Attached On File with City

DESCRIPTION (Detailed description of requested encroachment including business type (restaurant/retail), hours of operation, anticipated use of space, size of requested area, type of temporary furniture, etc.):

By signing this form, the business owner agrees to comply with the following conditions, and acknowledges that any violation of said conditions will result in possible rescission of permit approval, fines, penalties, or legal action.

1. The City reserves the right to deny temporary encroachment applications, or terminate issued permits at any time, at its discretion, and adjust allowable business hours as deemed appropriate.
2. All outdoor operations within the public right-of-way must cease and be restored to normal operations within thirty (30) days of the Contra Costa County Health Services order allowing full resumption of indoor restaurant and retail business operations.
3. The permittee is responsible for maintaining the area of encroachment in a clean and safe condition at all times, and shall immediately remove all trash and recycling. No equipment or storage is permitted in the public ROW.
4. Any furniture or other items within the public right-of-way shall be removed or secured during all non-business hours.
5. Applicant shall obtain all necessary PLANNING permits such as a Temporary Master License for New or Expanded Outdoor Operations.
6. Public sidewalks shall be maintained with 48" minimum clear width at all times. No overhead obstructions are allowed within the sidewalk clear width.
7. The permittee shall comply with all applicable state and federal accessibility requirements.
8. Parking encroachments shall not extend beyond the parking space or extend into vehicular travel areas.
9. Encroachments shall not extend into adjacent private properties, and shall not restrict access to adjacent private properties or other public sidewalks, or vehicular access ways.
10. Encroachments shall not restrict access to fire or emergency vehicle access.
11. Permanent installations of any item within the City right-of-way is prohibited.
12. The permittee shall adhere to all applicable County and State requirements, such as Contra Costa Health Services, Contra Costa Environmental Health, Contra Costa County Fire Protection District, California Public Health and California Department of Alcoholic Beverage Control requirements, and shall obtain any required permits or permissions related to the proposed use.
13. Insurance. Each person or entity prior to the granting of an encroachment permit shall furnish to the City a certificate of insurance together with an endorsement showing that such person or entity has then in force a policy of commercial general liability insurance naming the City as an additional insured in an amount of not less than \$1,000,000 per person or per occurrence combined single limit. The permittee shall keep in full force and provide evidence of such policy of insurance to the City during such time as the permittee performing work in or using the public right-of-way for which the encroachment permit was issued.
14. Indemnification. The following obligations are in addition to those imposed by Encroachment Ordinance Section 12.15.140. Permittee agrees to and shall defend, indemnify and hold harmless the City, its officers, officials, employees, agents and volunteers from and against any and all claims, demands, actions, losses, damages, injuries, and liability (including all attorney's fees and other litigation expenses) arising out of the Permittee's performance, non-performance, breach, or default under the terms of the encroachment permit, use of the encroachment area or from any activity, work, or thing done, permitted, or suffered by Permittee in or about the encroachment area. This indemnification obligation shall not apply to demands, actions, losses, damages, injuries, and liability arising out of City's sole or active negligence or willful misconduct.

(Please retain a copy of approved permit for your records along with your business license, and any ABC license. You may be requested to present these records to the City of Concord for verification purposes.)

Business Owner Signature

Date