



CITY OF GLENDALE, CALIFORNIA

Public Works
Engineering

633 E. Broadway, Suite 205
Glendale, CA 91206-4310
Tel. (818) 548-3945 Fax (818) 242-7087
glendaleca.gov

Sidewalk Dining Permit Application

Name of Applicant/Contact Person: _____

Name of Restaurant: _____

Restaurant Address: _____

Business Telephone: _____ and/or _____

Email Address: _____

Will Liquor Be Sold? Yes No *If Yes, The perimeter of outdoor sidewalk dining area approved for alcoholic beverage service shall be defined by removable physical barriers.*

MATERIALS THAT MUST ACCOMPANY APPLICATION:

1. Certificate of insurance, evidence of insurance indemnification and Waiver of Subrogation. See guideline on back of the application.
2. Application Fee Payment: \$223 by Credit-Debit Card/Cash/Check (Made out to City of Glendale)
Surcharge of 2.5% (\$5.25) is required if paid with a Credit/Debit Card
3. A site plan, drawn accurately and to scale, that shows the layout of all furniture and other items that are proposed to be placed in the public right-of-way plus all existing features within the abutting public right-of-way including trees, sign posts, street lights, traffic signals, parking meters, landscape planters, driveway, etc. and property lines.

CONDITIONS OF APPROVAL:

1. **Application Fee: \$223 plus a Yearly Sidewalk License Fee of \$2.23 per square foot.**
2. This permit is valid for one year from date of approval or to the expiration date of the Certificate of Insurance, whichever is less.
3. No tables, chairs or other items placed in the public right-of-way may be fastened to the sidewalk.
4. No furniture or other items except umbrellas or outdoor heaters may exceed 42 inches in height.
5. Fire Department approval is required for outdoor heaters in a sidewalk dining facility.
6. Provide a minimum vertical clearance of seven (7) feet for open umbrellas.
7. An unobstructed pedestrian path of at least 48 inches in width must be maintained at all times. Except for Brand Blvd. and Honolulu Ave. which require at least 60 inches in width.
8. The sidewalk dining area may not be located within 4' of a curb return area (see sample plan) or within 10' of a driveway or alley.
9. At least twenty-four (24) inches of clearance between the sidewalk dining facility and the face of curb is required.
10. The sidewalk dining area shall not extend up or down the sidewalk beyond the boundaries of subject property.
11. No entertainment or music is permitted at a sidewalk dining facility.
12. No smoking is allowed in the area.
13. Alcoholic beverages may be served in a sidewalk dining facility if the business has a State ABC license. A conspicuously posted sign stating: "Alcoholic Beverage Consumption Is Permitted Only Within Designated Sidewalk or Paseo Dining Facilities. G.M.C. Section 9.20.140." is required.
14. The sidewalk dining area shall be kept in a good state of repair and maintained in a clean and sanitary condition.
15. Additional conditions may be placed upon a sidewalk dining permit.
16. This permit may be revoked without notice if the conditions of this permit are violated.

Please Initial that you have read and understood the Conditions of Approval. _____
Initials

DECLARATION: The applicant does hereby declare under penalty of perjury that all information provided herein is true and correct. Furthermore the applicant accepts all of the conditions of the permit and acknowledges that the permit may be revoked at the discretion of the City if the conditions are not complied with.

Signature of Applicant: _____ **Date:** _____

Please submit this form to: **Public Works – Engineering Division, 633 E. Broadway, Room 205, Glendale, CA 91206, (818) 548-3945.**



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APPLICATION REVIEW:

1. _____ Date: _____
Risk Management
2. _____ Date: _____
PW – Engineering (Traffic & Transportation)
3. _____ Date: _____
Community Development - Planning
4. _____ Date: _____
Police Department
5. _____ Date: _____
City Engineer

Total Fee: \$223 (Sidewalk Dining Acct # 30850-101-511-8023-ODP ~ Surcharge of \$5.25 if paid by Credit/Debit Card)



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INSURANCE GUIDELINES

INSURANCE CERTIFICATION

A certificate for Commercial General Liability insurance - at least as broad as ISO (Insurance Services Office, Inc.) form CG 00 01, in an amount not less than \$1,000,000 combined single limit for each occurrence, an additional insured endorsement, and a waiver of subrogation are required. If the policy has a general aggregate limit, it must not be less than \$2,000,000. The certification of insurance, along with an additional insured endorsement or a binder, must state:

"The City of Glendale, its Glendale Successor Agency, and its officers, agents and employees are hereby named as additional insured. This insurance is primary to the coverage of the City of Glendale. The insurance company will not cancel, terminate, or reduce the insurance afforded under the policy unless 30 days' notice of such cancellation, termination, or reduction has been mailed to the City of Glendale. And the policy must be issued by an insurance carrier authorized to do business in California.

If the policy states that issuing company, "will endeavor to mail 30 days written notice to certificate holder.....", the words "endeavor to" and "but failure to mail such notice....", must be crossed off and initialed by insurance representative.



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July 2019

Subject: Conditions and Requirements for New Sidewalk Dining Applications

On June 13, 2019 the Glendale City Council adopted a new Fee Schedule for various fees, rates and charges. Effective July 14, 2016 the annual fee for new sidewalk dining permits changed to:

Application Fee: \$223 *plus* a Yearly License Fee of \$2.23 per square foot.
(Surcharge of 2.5% is required if paid with a Credit/Debit Card)

For your application you will need to provide the following when you submit your application:

1. Application for a New Sidewalk Dining Permit
2. Fee Payment (\$223)
3. Certificate of Insurance
4. Additional Insured Endorsement form
5. Waiver of Subrogation ("Waiver of Our Right to Recover from Others" Endorsement for Commercial General Liability)
6. New site plan.

On March 23, 2015 the Glendale City Council adopted Ordinance 5846 updating the Glendale Municipal Code for Sidewalk Dining Facilities, effective April 23, 2015. To view the latest sidewalk dining conditions/requirements visit <http://qcode.us/codes/glendale/revisions/5846.pdf> for Ordinance 5846.

Conditions and Requirements:

Permits for sidewalk dining facilities are nontransferable and requires a valid business registration certificate (BRC), which is obtained from Building & Safety (Hrs.: M-F, 7a-12p). Permits for sidewalk dining facilities are issued to applicants whose businesses have a valid BRC for one of the following uses:

- Restaurant, counter service limited seating - as defined in Section 30.70.190 of the Municipal Code.
- Restaurant, fast food – as defined in Section 30.70.190 of the Municipal Code.
- Restaurant, full service – as defined in Section 30.70.190 of the Municipal Code.
- Tavern - as defined in Section 30.70.210 of the Municipal Code.

A sidewalk dining facility must comply with the following requirements:

- This permit is valid for one year from date of approval or to the expiration date of the Certificate of Insurance, whichever expires first.
- All sidewalk dining facility chairs, tables, fences, planters, barriers and related furnishings and equipment, collectively, the "Sidewalk Dining Furniture and Equipment," must be placed within the sidewalk dining facility area.
- All Sidewalk Dining Furniture and Equipment (Including umbrellas and outdoor heaters) cannot encroach into the required unobstructed pedestrian path.
- No Sidewalk Dining Furniture and Equipment placed in the public right-of-way may be fastened to the sidewalk or paseo, and it must not cause any damage to the sidewalk or paseo.
- No furniture and/or other items except umbrellas or outdoor heaters may exceed 42 inches in height.

- Fire Department approval is required for outdoor heaters in a sidewalk dining facility.
- Open umbrellas require a minimum vertical clearance of seven (7) feet, and they cannot extend outside of the area approved for sidewalk dining.
- An unobstructed pedestrian path of at least 48 inches in width must be maintained at all times, with the exception of Brand Blvd and Honolulu Av, which require at least 60 inches in width.
- At least 24 inches of clearance between the sidewalk dining facility and the face of curb is required.
- The sidewalk dining area may not be located within four (4) feet of a curb return area (see sample site plan) or within 10' of a driveway or alley.
- The sidewalk dining area shall not extend up or down the sidewalk beyond the subject property.
- No entertainment and/or music are permitted at a sidewalk dining facility.
- Smoking is not allowed.
- Alcoholic Beverages
 - May be served in a sidewalk dining facility if the business has a State ABC license.
 - Requires a prominently posted sign stating:
"Alcoholic Beverage Consumption Is Permitted Only Within Designated Sidewalk or Paseo Dining Facilities. G.M.C. Section 9.20.140."
 - The perimeter of a sidewalk dining facility approved for alcoholic beverage service must:
 - Have removable physical barriers to prevent the unrestricted movement of people to and from the sidewalk dining area except through the approved entrance/exit.

ACORD_n CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

THIS IS A SAMPLE COPY ONLY

INSURERS AFFORDING COVERAGE	NAIC#
INSURER A:	
INSURERS:	
INSURERC:	
INSURER O:	
INSURERE:	

COVERAGES

THE POLICIES OF INSURANCE LISTED 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, AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURANCE TYPE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY ANY AGGREGATE LIMIT APPLIES PER POLICY				EACH OCCURRENCE \$ AUTOMOBILE LIABILITY \$ PERSONAL & AUTO INJURY \$ GENERAL AGGREGATE \$ U.C.T.S. COMPROP AGG \$
COMMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EAACC \$ AGG \$
EXCESS/UMBRELLA LIABILITY OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? OTHER				E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ DISEASE - POLICY LIMIT \$

"ANY AUTO BOX MUST BE SELECTED FOR THOSE WHO HAVE AUTOMOBILE LIABILITY INSURANCE"

Please add word for word in the description of operations on certificate

DESCRIPTION OF OPERATIONS/ LOCATIONS/ VEHICLES/ EXCLUSIONS COVERED BY ENDORSEMENT/ SPECIAL FILING:

By the attached Endorsement(s); The City of Glendale, its officers, agents, and employees are added as additional insured. The insurance is non-contributory and primary to all other Insurance of the City. The insurance shall apply separately to each insured and 30 days advance written notice shall be issued to the City for any policy cancellation, termination or reduction of the stated limits.

CERTIFICATE HOLDER

City of Glendale
 Engineering Section
 633 East Broadway, Room 205
 Glendale, CA 91206-4388

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO ADVISE THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OF ANY KIND UPON THE INSURER, ITS AGENTS OR AUTHORIZED REPRESENTATIVE.

Cross-out words "endeavor to"

Cross-out "but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representative"

→POLICY NUMBER: _____

COMMERCIAL GENERAL LIABILITY

→POLICY NUMBER: _____

AUTO LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – STATE OR POLITICAL SUBDIVISION – PERMITS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
AUTO LIABILITY COVERAGE PART

SCHEDULE

State or Political Subdivision:

The City of Glendale, its officers, agents, and employees are added as additional insureds. The insurance is non-contributory and primary to all other insurance of the City. The insurance shall apply separately to each insured and 30 days advance written notice shall be issued to the City for any policy cancellation, termination or reduction of the stated limits.

(if no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured any state or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.
2. This insurance does not apply to:
 - a. "Bodily injury, "property damage," "personal injury" or advertising" arising out of operations performed for the state or municipality; or
 - b. "Bodily injury" or "property damage" included within the "products-completed operations hazard."

 X
Signature of Person Authorized to Bind Company

 X
Date

Or you may use this
endorsement form



Reproduction of Insurance Services Office, Inc. Form

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 24 04 05 09

**WAIVER OF TRANSFER OF RIGHTS OF RECOVERY
AGAINST OTHERS TO US**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization: City of Glendale
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph B, Transfer Of Rights Of Recovery Against Others To Us of Section IV – Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

Waiver of Subrogation

Definition of a waiver of subrogation:

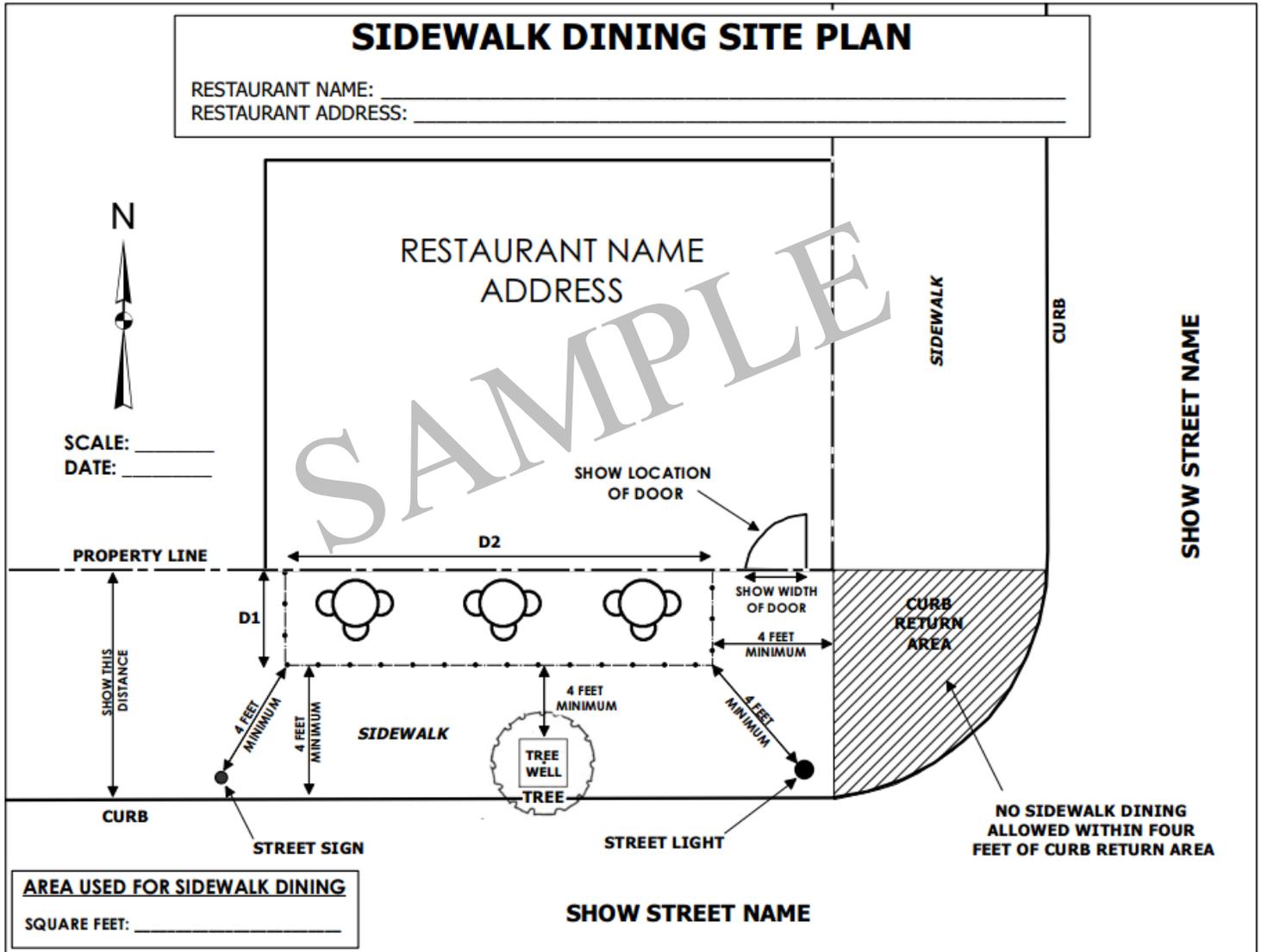
The relinquishment by an insurer of the right to collect from another party for damages paid on behalf of the insured. The waiver of subrogation condition in current standard policies and is also referred to as "transfer of recovery".

Purpose of a waiver of subrogation: An insurance company has the right to subrogate (or take legal action against) the third party responsible for the loss paid to the insured. When a waiver of subrogation is present in a contract or agreement, the subrogation rights of the insurance carrier are waived and the insurance carrier is unable to take legal action and recover damages against the third party responsible for the loss.

An example of Waiver of Subrogation: A tenant rents an apartment from a landlord and takes out a renter's insurance policy. The landlord makes an agreement with the tenant stating that the landlord will not hold the tenant liable for any type of damage to the rental unit. If damage occurs, the insurer could pay the claim to the landlord and then come after the tenant for the damage. But a Waiver of Subrogation would prevent the insurer from being able to do this.

SAMPLE SITE PLAN - SIDEWALK DINING

MINIMUM SIDEWALK CLEARANCE OF FOUR (4) FEET REQUIRED FOR ALL CITY STREETS
(Except Brand Boulevard and Honolulu Avenue, where Five (5) Feet is required)



The new site plan you submit shall be drawn to scale, showing the location of tables and chairs, and any physical barriers required for establishments serving alcoholic beverages.

The following are minimum information that must be included on the Sidewalk Dining Site Plan:

- Site Plan to be drawn to a scale of $\frac{1}{4}'' = 1'$, unless area exceeds 40 feet, in which case $\frac{1}{8}'' = 1'$ will be acceptable.
- Minimum drawing size shall be $8\frac{1}{2}'' \times 11''$.
- Indicate property line(s) and building location along street frontage(s). Show name(s) of street(s).
- Show and provide width(s) of entrance/exit doors for the building.
- Show the distance between the building and outside edge of curb face or overall sidewalk width (if different).
- Show proposed location of tables, chairs or benches. Indicate sizes of the tables and chairs.
- Show existing sidewalk fixtures within sidewalk area, such as parkways, trees, benches, streetlight poles, meters, trash containers, etc.
- Provide dimensions between proposed furniture and existing sidewalk fixtures and outside curb edge that delineates pedestrian access area.
- Show area, with dimensions around proposed furniture to be used for sidewalk dining. Calculate the total square footage of area used for sidewalk dining.
- Add business name, address and date to diagram.