

SIDEWALK SEATING – IN FOUR EASY STEPS

The sun is shining...

The sidewalks are clean...

The flower baskets are blooming...

Time for sidewalk seating!



Increase your visibility, grow your business,
and let your customers enjoy the new improved Downtown Berkeley.

Four easy steps for sidewalk seating permit with City of Berkeley:

- 1. Create a site plan**
- 2. Provide certificate of liability insurance**
- 3. Pay permit fee**
- 4. Submit attached application**

it starts here.

**DOWNTOWN
BERKELEY**

Information provided by Downtown Berkeley Association
510.549.2230 x10 info@downtownberkeley.com

Sidewalk Seating – In Four Easy Steps – Detail

Note: A business must already be permitted as a quick-service or a full-service restaurant or café before applying for sidewalk seating.

1. Create a site plan

- a. Show all street furniture, trees, vaults, curb cuts, and any other elements with their exact dimensions that are in the public right-of-way.
- b. Show a six (6) foot minimum continuous path of travel between wheelchair ramps/curb cuts within the sidewalk area. The path of travel cannot include the areas where the trees, planters, bike racks, etc are located.
- c. Provide dimension details of the proposed tables, chairs, or benches. Chairs are required to have at least an area of 24" x 24" to accommodate them. Show proposed location of the tables, chairs, planters, or benches on your Site Plan.

2. Provide certificate of liability insurance

- a. Minimum liability insurance coverage is \$1,000,000 for sidewalk seating (includes all tables and chairs)
- b. Minimum liability coverage is \$500,000 for benches, planters, or decorative noncommercial installations
- c. Said insurance must name the City of Berkeley as Additional Insured on the certificate of insurance

3. Pay permit fee:

- a. \$127 – Initial Application Fee (paid once)
- b. Permit Fee- \$153 (paid every year), Plus...
- c. \$7.50 per linear foot of chairs & tables along the frontage of the business (no per-foot cost for benches & planters) (paid every year)

4. Complete attached form called "Application for Sidewalk Café Seating, Planters, and Benches"

- a. Find the form at:
http://www.downtownberkeley.com/downloads/Sidewalk_Seating_Application.pdf

Then, bring or mail the above items to the Permit Service Center (2120 Milvia St. Berkeley, CA 94704) to submit the application.



PLANNING & DEVELOPMENT

Permit Service Center
2120 Milvia Street, Berkeley, CA 94704
Main Tel: 510.981.7500 TDD: 510 981-6903 Fax: 510 981-7505
Scheduling Inspections: 510 981-7444 Eng. Inspector: 510 981-7440
Email: Planning@ci.berkeley.ca.us



APPLICATION FOR SIDEWALK CAFÉ SEATING, PLANTERS, AND BENCHES

Application # _____ New Application _____ Renewal _____

Street Address: _____

Name of Business: _____

Applicant/Contact Person: _____

Address: _____

City, State, Zip: _____

Phone #: _____ E-Mail Address: _____

Number of Tables: _____ Number of Chairs: _____ Number of Benches: _____

Hours of Occupancy: From _____ to _____ (Mon Tue Wed Thu Fri Sat Sun)

Berkeley Business License _____

SUBMITTAL REQUIREMENTS CHECKLIST

- Dimensioned Site Plan, showing all street furniture, trees, vaults, curb cuts, and any other elements that are in the public right-of-way.
- The Site Plan must show a six (6) foot minimum path of travel for pedestrians. The path of travel must be in the accessible sidewalk area, and cannot include the portion of the public right-of-way reserved for street furniture.
- Provide details regarding proposed tables, chairs, or benches. For purposes of determining space required for chairs, please use an area of 24" x 24". Show proposed location of the tables, chairs, planters, or benches on your Site Plan.
- Proof of Insurance naming City of Berkeley as Additional Insured. For Sidewalk Seating, minimum liability coverage is \$1 million. For Benches or Planters, or Decorative noncommercial installations, minimum liability coverage is \$500,000.

CONDITIONS OF APPROVAL

1. Prior to placement of seating, the permittee shall demonstrate possession of liability insurance in the amount of at least one million dollars (\$1,000,000). Said insurance shall name the City of Berkeley as Additional Insured and shall be in a form acceptable to the City Attorney.
2. Prior to placement of planters or benches, the permittee shall demonstrate possession of liability insurance in the amount of at five-hundred thousand dollars (\$500,000). Said insurance shall name the City of Berkeley as Additional Insured and shall be in a form acceptable to the City Attorney.
3. Sidewalk Cafe Seating shall remain in the location and configuration shown on the approved site plan, and the number of tables and chairs shall not be increased without prior approval of the Public Works Department.
4. At least half of the seats shall be wheelchair accessible. Accessible tables shall have clear floor space with minimum dimensions of 30 inches by 48 inches, maximum height of 34 inches, and minimum knee space of 27 inches high, 30 inches wide and 19 inches deep.
5. All Sidewalk Cafe Seating components shall be stored in a secure location on private property when not in use.
6. The permittee shall regularly inspect and clean the Sidewalk Cafe Seating and that portion of the public sidewalk adjacent to the establishment. A waste receptacle shall be placed immediately inside the entrance of the establishment.
7. The permittee shall monitor and control the use of the Sidewalk Cafe Seating so as to prevent disturbance of the surrounding neighborhood.
8. No alcoholic beverages shall be served to the Sidewalk Cafe Seating at any time.
9. Pursuant to BMC Chapter 12.70, smoking is prohibited in the Sidewalk Cafe Seating, and "No Smoking" signs shall be conspicuously posted in the seating area.
10. Sidewalk Cafe Seating shall not be used before 7 a.m. or after 10 p.m. without prior approval of the Zoning Officer. The Zoning Officer may modify these hours as necessary to avoid detriment or to achieve conformance with revised City standards or policies.
11. If the seating authorized by this Permit is found to be in conflict with existing or proposed public facilities or improvements, such seating shall, upon written demand of the City Manager or his/her designee, and at the sole expense of the permittee, be removed or relocated in such a way as to eliminate the conflict. Should the permittee fail to comply with said demand within a reasonable period of time, the City may relocate such seating at the expense of the permittee. Noncompliance shall also be a violation of the Ordinance.

12. Permittee's Liability: By accepting this Permit, the permittee explicitly agrees to hold the City, its officers and employees harmless from any liability, claims, suits or actions for any and all damages alleged by reason of the permittee's installation, operation, maintenance or removal of Sidewalk Cafe Seating, Benches, or Planters connected with this permit.

13. Additional Conditions: _____

Signature of Applicant

Date

For Office Use Only:				
Approved	# Chairs	_____	Insurance Carrier	_____
	# Tables	_____	Insurance Policy #	_____
	# Benches	_____	Telephone #	_____
	Lineal Feet	_____	Insurance Expiration	_____