

# Application for Sidewalk Usage Permit

For Year: July 1, 2\_\_\_\_ - to June 31, 2\_\_\_\_ - All new applicants, and returning applicants who wish to make any changes to their sidewalk encroachment agreement, must schedule an appointment with the City of Baraboo Zoning Inspector, who will meet with you at your site location. Include a photo or detailed rendering of your sidewalk area in question with your application whether you are new or returning. Complete this application and diagram for approval.

A list of design requirements, permitted items, allowable uses, and general encroachment information is attached to this application.

*Note: Set-up may not obstruct the pedestrian right-of-way. Approved tables, chairs and equipment must be placed on the contiguous property of the business applying for the outdoor location. Tables, chairs and equipment must be removed nightly, planters located according to the agreement may remain constantly. On the diagram on back of this page, identify trees, planter, posts/poles, in front of your business. All equipment such as tables, racks, chairs and display equipment must be shown with dimensions on this application. Space boundary dimensions must show space used when fully occupied by customers and/or product.*

**A certificate of up-to-date liability insurance coverage listing the City of Baraboo as an additional insured is required to be submitted as a part of this application.**

All applications must be approved by the City of Baraboo Zoning Inspector.

**Business Name:** \_\_\_\_\_

**Business Address (include Zip Code):** \_\_\_\_\_  
\_\_\_\_\_

**Name of Business Owner/Manager:** \_\_\_\_\_

**Business hours:** \_\_\_\_\_

<u>Insurance Company Name/Address</u>	<u>Policy Expiration Date:</u>	<u>Insurance Certificate Date</u>
---------------------------------------	--------------------------------	-----------------------------------

Policy Number: \_\_\_\_\_

Write your business name on your insurance certificate. Insurance coverage for contiguous property set-up must be approved by the City and list the City as held harmless.

Applicant's signature and date: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

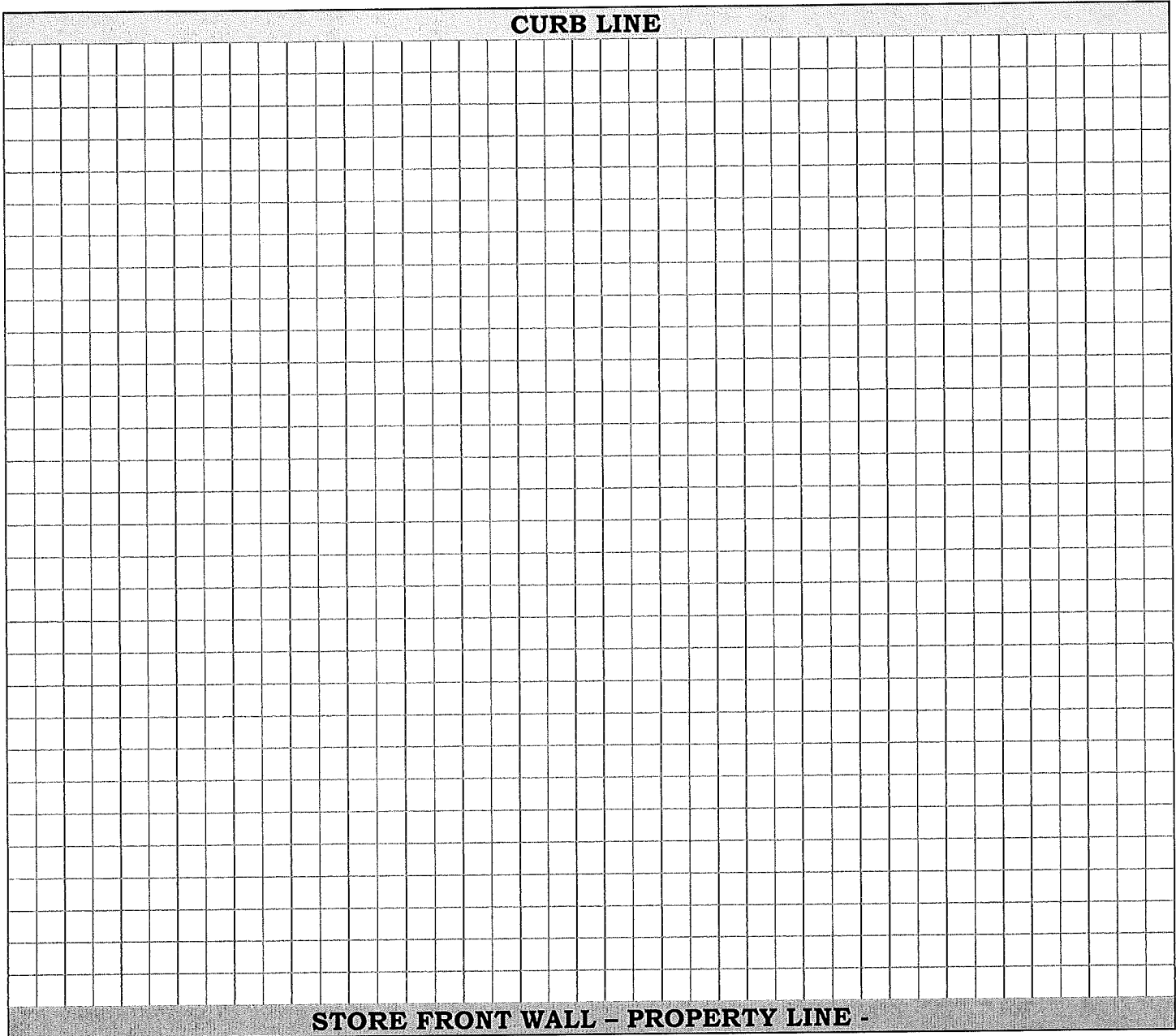
**City Approval Date:** \_\_\_\_\_

Approved by: \_\_\_\_\_  
Zoning Inspector

**Please See Reverse For Diagram**

**Diagram Below**

Number of Tables:	Number of Chairs:	Display Equipment
-------------------	-------------------	-------------------



NOTE – Specify scale per Individual property. On the diagram, identify trees, planter, posts/poles, in front of your business. All equipment such as tables, racks, chairs and display equipment must be shown with dimensions on this application. Space boundary dimensions must show space used when fully occupied by customers and/or product. (The pedestrian path of travel must also be clearly indicated.)

Comments/observations:

## Sidewalk Usage Instructions

The business owner should take into consideration the urban design of the area when planning furniture & equipment design. It is recommended that the furniture be representative of the type of business. Any and all items and materials within the permitted area should be, along with servicing, Informative or decorative.

Insure that any staff responsible for setting up & controlling your sidewalk area knows how to arrange it according to City Ordinance and does so consistently.

Plan your area and/or seating accommodations so that the furniture and equipment remains within the designated boundaries of your sidewalk agreement when it is filled to capacity with customers and/or product. It is permit Holders responsibility to monitor their customer's usage of the area and advise/inform said customers of restrictions and limitations in order to conform to accessibility and "permit" issues.

The sidewalk area must be at least 2½' away from a fire hydrant.

Where sidewalks abut angular vehicle parking, a 24-inch obstruction-free safety zone measured from the curb line toward the storefront will be maintained to accommodate vehicular overhang.

No Encroachment Agreements will be issued to include the area formed within the boundaries of the corner Handicap Curb-Ramp locations.

Maintain a clean and orderly sidewalk area. Including promptly bussed tables and littler.

Attachment of signs or other equipment to public amenities such as light poles, trees, planters, street signs. Etc. **is not permitted!** (In special frontage limitation situations a sign may be allowed to be attached to the end of a public bench with approval and so indicated on the encroachment permit).

Permitted Items – The following items are permitted to be temporarily placed upon public sidewalks under an encroachment agreement:

- a. Sidewalk furniture such as chairs, tables, benches, planters and flowerpots, all of which must be movable: umbrellas that meet A.D.A. height requirements are also permitted in conjunction with tables and chairs.
- b. Display of goods and merchandise.
- c. Ornamentations such as clocks, statues, open for business flags, (but not banners), seasonable decorations, decorative artwork, and similar items.
- d. A sandwich board sign, (subject to the city sign ordinance requirements as to size.
- e. Newspaper vending machines
- f. All soda and vending machines, other than newspaper vending machines, **are not permitted.**

Any usage of the sidewalk area, (Newspaper vending machines, racks, tables, chairs, planters, etc.), **must have an "Encroachment permit"**.

These Sidewalk Encroachment Agreements give the Agreement holder exclusive rights to that approved area at all times for the use of the holders normal merchandise and activities.

Only the owner or occupant of a building fronting upon a sidewalk may place permitted items on such sidewalk.

Items may only be placed within the boundaries of the storefront of the business displaying them, within the indicated areas on the application diagram. Unless otherwise approved, permitted items shall only be displayed only during open business hours.

Sidewalk Encroachment Agreements must conform to ADA guidelines and maintain at all times a totally unobstructed path of travel, excluding curb dimensions, not less than 48,' wide and 80" high and having a cross slope no steeper than one in forty-eight, (1 in 48). The path of travel shall be reasonable in location and continuous between adjacent properties. Winding pathways are not permitted. Pathways must be continuous between adjacent properties. This access area must flow unobstructed, through the City providing a "corridor".

Sidewalk Encroachment Agreements are Free of Charge.

**This Encroachment Agreement must be renewed yearly and contain proof of insurance.**

Liability Insurance coverage, listing the City of Baraboo as an additional insured in an amount not less than \$1,000,000 for bodily and personal injury sustained by any one occurrence and \$100,000 for property damage is required to obtain a permit.

Furthermore, the insurance shall be primary insurance coverage for any damage to persons or property caused by accident or occurrence that arises from or grows out of use of the encroachment agreement.

Insurance coverage shall be maintained as long as the permit is in effect.

Discontinuance or lapse of insurance coverage will immediately invalidate the encroachment permit.

City of Baraboo cannot guarantee all businesses will be "permitted". Physical constraints of location, city services, roadways, and other items may not allow adequate minimum right-of-way (48") for the allowance of an Encroachment Agreement. Every area and situation is unique and "permitting" will have to be considered on each and all of the individual areas specifications and limitations. All obstructions and access requirements will be taken into consideration of the issuing of an encroachment permit. Creative use of area should be considered in maximizing potential of areas in question.