

Resolution No.: 589

A RESOLUTION OF THE CITY COUNCIL OF AMADOR CITY ESTABLISHING AN APPLICATION FEE FOR SIDEWALK PERMITS UNDER CITY CODE §12.08.030

Whereas, on September 21, 2021, the City Council approved an ordinance amendment that established a sidewalk permitting process in City Code section 12.08.030;

Whereas, the City Council, pursuant to Section 12.08.030(O), the Council may establish an application fee for processing sidewalk revocable permits.

Whereas, pursuant to Government Code section 66014, the City Council desires to approve a fee that is a reasonable estimate of the cost to implement the sidewalk use permit process pursuant to section 12.08.030;

Whereas, based on the facts and materials before the City Council, an application fee of \$300 is a reasonable estimate of the cost to process a sidewalk permit under Section 12.08.030 based on the expense of city staff including the City Engineer and City Attorney;

NOW THEREFORE, BE IT RESOLVED:

The City Council of Amador City hereby establishes a fee of \$300 per application as a reasonable estimate of the cost to process a sidewalk permit under City Code section 12.08.030.

Duly passed this 19th day of October, 2021, at a regular meeting of the City Council of Amador City by the following vote:

AYES: Kel-Artenian, Bragstad, Robinson, Smith

NOES: 0

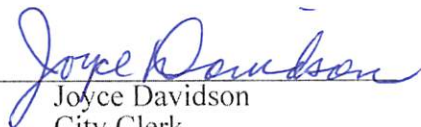
ABSENT: Marks

ABSTAIN: 0



Hon. Mayor Anne Kel-Artenian
Amador City, California

Attested:



Joyce Davidson
City Clerk
Amador City, California



CITY OF AMADOR CITY
INCORPORATED JUNE 2, 1915
California

Sidewalk Dining/Serving Permit

Applicant Name: _____ **Address:** _____

Business Name: _____

Welcome to the City of Amador City! To expedite the processing of your application, use this form to verify compliance with City of Amador City requirements for sidewalk dining/service.

APPLICATION REQUIREMENTS

Please submit the following attachments with the application and the \$300 application fee:

- Attachment A: Dimensioned site plan showing location of tables and chairs (portable heaters if applicable) on the sidewalk or city property;
- Attachment B: Photographs of the proposed area for sidewalk dining/service;
- Attachment C: Catalogue/brochure sheets of furniture, portable heaters, and barrier materials (if applicable);
- Attachment D: Copy of insurance certification (a minimum coverage of \$1,000,000.00 listing the City of Amador City as an additional insured. A 30-day cancellation notification shall be included).

Please verify the project would comply with the following conditions of approval:

Yes

☐	The proposed sidewalk dining/serving area will leave a minimum of three feet of unobstructed sidewalk and will not prevent access to buildings, parked cars, or bus stop areas.
☐	All proposed umbrellas, heaters, or similar accessories shall be rated for outdoor use, safely secured, and removable.
☐	The sidewalk dining area (including adjacent street, curbs, gutters, and sidewalk) shall be kept clean and orderly and the outdoor furniture must be maintained.
☐	Proposed outdoor dining/serving hours of operation shall fall between 7:00 a.m. and 10:00 p.m.
☐	Free-standing canopy shade structures and signage in connection with the business's sidewalk dining must be approved.
☐	Alcoholic beverage services within the business's sidewalk dining area is in compliance with ABC licensing regulations (Shaded conditions below only apply if an ABC license is acquired.)
☐	A barrier between 2 to 3 feet tall consisting of planters, removable bollards, or similar features that will not alter or damage the sidewalk shall be maintained to differentiate the serving area.
☐	Alcoholic beverages shall be served in non-disposable containers, and signs must be posted at the access points notifying patrons that no outside alcoholic beverages are allowed and that any alcoholic beverages served in the designated area may not be removed from the area.

REVOCATION

The sidewalk dining permit may be amended to include special conditions, and may be suspended or revoked for any reason. If there is non-compliance with any conditions of the permit or standard requirements for sidewalk dining the permit will be revoked. Any amendments, suspension or revocation of the permit is at the sole discretion of the Building Inspector and/or City Council. Please refer to Amador City Municipal Code Section 12.08.030, *et seq.* for more detail on the terms and conditions of the sidewalk permit.

AFFIDAVIT (To be completed by both property owner and applicant)

I have received, read, accept and understand the conditions listed on page one of this application.

Property Owner Name (Print) _____

Property Owner Signature _____

Date _____ Phone _____ E-MAIL ADDRESS _____

NOTICE, THE FOLLOWING IMPACTS YOUR RIGHTS AND OBLIGATIONS: The applicant and its principals, agents, employees, licensees, and patrons, hereby agree there shall be no liability on the City or upon any of its officers, agents, or employees for any claim, demand, or liability arising out of the permittees use of the permit applied for in this application, including for property damage or injury to the permittee, or its agents, employees, licensees, and patrons from any cause arising out of the permittee's use of the permit applied for by this application and under City Code 12.08.030, *et seq.* Furthermore, the permittee agrees to indemnify, defend, and hold harmless the City of Amador City and its officers, agents, and employees from any liability arising out of permitted activities. Should a claim arise out of the permittee's use of the permitted area, the City may plead this agreement as a complete defense to any such claim. Knowledge and consent to this provision shall be conclusively established by executing below, and by use of the permitted area for purposes expressed in Chapter 12.08.030, *et seq.*

Applicant Name (Print) _____

Applicant Signature _____

Date _____ Phone _____ E-MAIL ADDRESS _____

For Official Use Only

☐ Approved

☐ Approved w/Conditions

☐ Denied

Approved by

Date

PERMIT NO. _____

Project Specific Conditions of Approval: