



## Sidewalk Furniture and Retail Display Permit Application

### APPLICANT INFORMATION

Name of Owner(s)/Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### GENERAL INFORMATION

A permit to place furniture and retail sales displays in the right-of-way or public sidewalk is required. The issuance of a sidewalk furniture and retail display permit does not grant any person property right or interest in the sidewalk or right-of-way.

This permit will expire and be renewable annually on November 30<sup>th</sup> of each year. Receipt of a permit shall exempt the permittee from obtaining a minor easement from the City of El Reno for any fixture or structure approved by the permit.

#### Retail display standards:

- Furniture placed in the right-of-way in accordance with this section shall be of new or like-new appearance and shall be painted or stained as necessary to prevent decay, weathering, or rust. Acceptable materials shall include metal.
- Furniture with any mechanical functions, including, but not limited to, folding and reclining, are prohibited. Pointed or sharp finishes are prohibited.
- No furniture shall be affixed or permanently attached to any public improvements within the right-of-way, including the sidewalk.
- Sidewalk retail display shall be always maintained in a neat and orderly appearance and shall be cleared of all debris on a periodic basis during the day and at the close of each business day.
- The permittee is responsible for repair of any damage to the sidewalk caused by the sidewalk retail display.
- One sign may be displayed on the sidewalk only during hours of operation of the business. The sign shall not exceed four square feet, shall not be higher than four feet in height and shall not be within four feet of the curb.
- Merchandise and display fixtures shall not exceed five feet in height when abutting the building and four feet when not abutting the building.
- A sidewalk retail display area shall not exceed 100 square feet for all outdoor display areas.

#### STAFF USE ONLY

- ☐ OK Tax License
- ☐ Proof of Insurance
- ☐ License Fee Paid
- ☐ Site Plan
- ☐ Images provided
- Date Approved: \_\_\_\_\_

Please attach the following documents to the application:

- Site plan including the edge of the building, the width of the sidewalk, the location of all proposed furniture and retail display areas, the location of any sloped sidewalk or sidewalk with barriers (i.e., streetlights, ramps, steps, poles, or any other obstructions), the location of all doors, and the location of all required pedestrian pathways in accordance with Subsection D of the Code §361-21 (as shown).
- Images of all proposed sidewalk furniture to be installed or to remain installed upon approval of the permit application.
- Proof of general liability insurance, and, if applicable, alcohol liability insurance in accordance with Subsection E of the Code §361-21 (as shown).
- A check written to the City of El Reno in the amount of \$20.

**D. General Standards.**

- 1) A pedestrian pathway of at least six feet in width, free from obstruction, and at slopes compliant with the ADA Standards for Accessible Design shall be maintained in the direction parallel to the street at all locations and shall not be infringed upon by outdoor furniture or retail display. An egress path from the front door of the building at the width of the doorways, but in no cases less than three feet, shall be maintained and not infringed upon by outdoor furniture and retail displays.
- 2) No outdoor furniture or retail display shall obstruct pedestrian or vehicular traffic, fire hydrants or other access points for public utilities, or be in a visibility triangle.
- 3) Furniture, equipment, or retail displays shall not be anchored to the sidewalk in the right-of-way, nor shall they be attached or affixed to any tree, post, sign, or other structure.
- 4) Sidewalk furniture and retail displays shall be a permitted accessory business in the CBD zoning district.
- 5) Sidewalk furniture and retail displays shall be related to the principal use of the abutting property.
- 6) Sidewalk furniture and retail displays shall be located in a manner that promotes efficient and direct pedestrian movement.

E. The permittee shall maintain current general liability insurance issued by one or more insurance companies licensed to do business in the State of Oklahoma, protecting the permittee and the City of El Reno from all claims for damage to property and bodily injury, including death, which arise from operation under or in connection with the outdoor furniture permit. Such insurance shall name the City as an additional insured and shall not terminate or be canceled prior to the expiration date without 30 days' advance written notice to the City. Each policy shall be for a minimum of \$500,000 coverage. The policy shall include provisions requiring the permittee to indemnify and hold harmless the City of El Reno from any claim of liability, and associated defense costs, that arise out of the permittee's use of the sidewalk area and shall preserve the right of the City to its choice of defense counsel.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

I AFFIRM THAT I HAVE ATTACHED ALL REQUIRED INFORMATION, AND I UNDERSTAND THAT INCOMPLETE APPLICATIONS CAN RESULT IN NOT BEING PLACED ON MUNICIPAL PLANNING COMMISSION, CITY COUNCIL, AND/OR BOARD OF ADJUSTMENT AGENDAS UNTIL APPLICATIONS ARE COMPLETE.