



COMMUNITY DEVELOPMENT DEPARTMENT

Code Administration Division

129 North Second Street, 2nd Floor Yakima, Washington 98901

Phone (509) 575-6126 • Fax (509) 576-6576 Email: codes@yakimawa.gov

SIDEWALK CAFÉ REGULATORY LICENSE APPLICATION

YMC Chapter 5.80

Fee: \$50.00 (non-refundable/non-transferable annual fee)

Applicant Information: (Must be owner or occupier of the property adjacent to a public sidewalk):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Alternate Phone: _____

Email: _____

Location:

Address of Proposed Sidewalk Café: _____

Type of Business: _____

Business Name: _____

State UBI Number: _____ Will liquor be served?: _____

Days and Hours of Operation: _____

Type of Uses on Adjacent Properties: _____

Submittals:

- A scaled Site Plan showing any and all existing and proposed items in the vicinity of the proposed Sidewalk Café, including trees, planters, poles etc., the proposed design of the Sidewalk Café, number of tables and chairs, and area of pedestrian walking space.

NOTE: Per YMC 8.20.077, Permit holders shall take all measures to keep sidewalks accessible to pedestrians. This means that a minimum of four feet of sidewalk space must be available.

- Evidence of commercial liability insurance, a copy of additional insured endorsement shall be included. See insurance requirements below.
- Hold Harmless Agreement (attached)
- Sidewalk cleaning schedule

Insurance: Prior to issuance, the applicant shall file with the Code Administration office evidence of an insurance policy which shall be not less than one hundred thousand dollars for each incident of personal injury or death, three hundred thousand dollars aggregate coverage for any single accident or occurrence, and fifty thousand dollars property damage coverage. The City of Yakima shall be an additional insured party on such policy. Such policy shall insure against liability from injury or damage resulting from applicant's occupancy of or activities on public right-of-way under the permit to be issued. Such insurance shall be maintained in effect during the term of the permit.

The issuance of this license does not entitle you to conduct business in violation of any federal, state or local laws applicable to the business operation.

Signature: _____ Date: _____

**HOLD HARMLESS AND INDEMNIFICATION AGREEMENT
SIDEWALK CAFÉ REGULATORY PERMIT: YMC 5.80**

THIS HOLD HARMLESS AND INDEMNIFICATION AGREEMENT ("Agreement") is hereby entered into by _____ (hereinafter referred to as "Applicant") holding harmless the CITY OF YAKIMA as outlined herein.

Applicant voluntarily assumes and freely chooses to incur any and all risk of loss, damages, or injury that may occur or arise from any activities undertaken on, within, above or over the City of Yakima's right of way for which the Sidewalk Café regulatory permit is issued for the following location [address and/or side of the property the sidewalk café is located]: _____
_____ (hereinafter referred to as "Permit Area").

Applicant shall hold harmless, protect, defend, indemnify and hold the City, and its elected and appointed officials, employees and agents, harmless from and against any and all claims, demands, losses, damages, liens, liabilities, penalties, fines, lawsuits, and other proceedings, and any costs and expenses associated with the same (including attorney's fees and disbursements, whether in litigation or not), which accrue to or are incurred by the City, or its elected or appointed officials, employees or agents, and which arise directly or indirectly from or out of, relate to, or in any way are connected with personal injuries, loss of life or property damage occurring because of the Applicant's, its agents, successors, assigns, contractors, employees, invitees or any third party's use, operation, placement of items or materials within the Permit Area, any structures placed in or on the Permit Area, use of the Permit Area as a café or eating/drinking location, failure to keep the Permit Area clean, or maintenance of the Permit Area covered by this Agreement and the Sidewalk Café permit granted by the City, and any litigation, legal challenge or determination pertaining to the validity of this agreement.

Agreement was voluntarily entered into by Applicant as part of the application process for a Sidewalk Café Regulatory Permit [RL#_____]. Applicant has read and understands the information in this Agreement and hereby agrees to all the terms contained herein. This Hold Harmless and Indemnification Agreement shall run with the land and is binding on the parties and their successors in interest and assigns.

DATED this _____ day of _____, 20_____.

APPLICANT:

(Signature)

STATE OF WASHINGTON)
) ss.
County of Yakima)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute this instrument, and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

DATED this _____ of _____, 20_____.

Print Name: _____

Title: _____

My Commission Expires: _____