



**Public Works
Engineering Division**

Increase your visibility, grow your business, and let your customers enjoy the diverse and inclusive City of 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

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

Permit Service Center
1947 Center St. 3rd floor
Berkeley, CA 94704
510-981-7500 TDD 7450
permits@cityofberkeley.info

SIDEWALK SEATING APPLICATION

Sidewalk Café - Planters - Benches

APPLICATION INFORMATION:

Application #:	New Application	Renewal					
Address:							
Business Name:							
Applicant Name:	Berkeley BUS Lic #:						
Address:							
Email:	Phone #:						
# Tables:	# Chairs:	# Benches:					
Hours of Occupancy:	From	to					
ABC License (if applicable):	Mon	Tue	Wed	Thur	Fri	Sat	Sun

SUBMITTAL REQUIREMENTS CHECKLIST:

Dimensioned and Scaled 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.

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

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 least 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 without a permit from Alcohol Beverage Control.
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:

Applicant Name

Applicant Signature

Date