



Centre Wellington

## **SIDEWALK PATIO, CAFÉ AND DISPLAYS ANNUAL PERMIT**

Created by: Rob Rosso	Effective Date:	Page: 1 of 2
Approved by: Colin Baker	Revision #	Document ID:

### **General Information**

Name of Owner:	Name of Business:
Address:	Business phone No:
Email Address:	Emergency No:

### **Application**

Sidewalk Patio	<input type="checkbox"/>	Operating Hours:
Sidewalk Café	<input type="checkbox"/>	Operating Hours:
Sidewalk Display	<input type="checkbox"/>	Dimension of Patio:
No. of Tables:		No. of Chairs:
No. of Picnic Tables:		Diameter of Tables:

**Provide Drawings Below: include entrance, street lights, catch basins, valve covers, tables, decking**

#### **Storefront**

#### **Sidewalk**

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#### **Parking Lane**

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#### **Roadway**

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Notes:			
Check list:			
Copy of Insurance	<input type="checkbox"/>	Drawings	<input type="checkbox"/>
Form is complete	<input type="checkbox"/>		

**The applicant agrees and accepts full responsibility for the protection of all utilities, private property and persons affected by his / her operations, and agrees to abide by all general conditions, and special conditions listed on this permit on page 2**

Applicants Signature:	Date:
Permit Fee:	Centre Wellington Approval Signature: Date:

**PLEASE EMAIL COMPLETED APPLICATION TO: [rrosso@centrewellington.ca](mailto:rrosso@centrewellington.ca)**

## **General provisions**

1. Any person who wishes to erect, install, maintain, or carry on a Sidewalk Café, Sidewalk Patio or Sidewalk Display on Township owned lands shall be required to submit an application to Infrastructure Services seeking permission to do so, together with drawings or plans sufficient to the Townships satisfaction, and payment of the applicable application fees as set by the Township Fees and Charges By-law. In the event an application is denied, a portion (50%) of the permit fee will be applied towards administration fees and the balance returned. A pre-consultation meeting with the Manager of Public Works, or designate is encouraged prior to apply for a permit.
2. The Township shall review the application to ensure the erection, installation, and maintenance of the Sidewalk Café, Patio or Display on Township owned lands, does not, or will not:
  - a. interfere with the Townships intent and purpose in holding the Township owned land;
  - b. create an unsafe condition;
  - c. create liabilities for which the Township cannot assign full responsibility to the Applicant;
  - d. create a situation that is contrary to Township By-laws, Township Policy or Resolution, or any Provincial or Federal regulation or legislation;
  - e. interfere with work, plans, efforts, or initiatives of the Township to maintain Township owned lands;
  - f. interfere with any utility or other similar installation located on Township owned lands.
3. Seasonal agreements may impose site specific conditions to address concerns identified by the Township.
4. Seasonal agreements shall apply for the period May 1 – Oct 31. The applicant is responsible for the removal of the patio no later than November 1 or as requested by the Township. All agreements shall be terminated by the Township/or Applicant upon 48 hours notification. Seasonal Agreements cannot be re-assigned or transferred.
5. It is the responsibility of the Permit Holder to secure and store their patio furniture when not in use. The township will not be responsible for lost, stolen or vandalized items. All items are to be removed from the patio area upon expiry of the permit.
6. All street furniture to be removed by Nov 1 for the winter season with the exception of 2 small planters (Max 16"X16") to be on either side of the store front or entrance, and must be placed against the store front.
7. The execution of a Seasonal Agreement in respect of a patio/café/display does not create any vested right in the owner or occupant of the premises to which the permit is secondary, or in any other person to the land that the patio/café/display occupies, and the agreement may be terminated or suspended in accordance with the terms set out in this Policy and in the agreement.
8. Establishment proprietors must carry a minimum of \$5,000,000 liability insurance for the operation of a sidewalk patio or café where alcohol is served; \$2,000,000 liability insurance for those not serving alcohol, \$2,000,000 for sidewalk displays and indemnify the Township of Centre Wellington and the County of Wellington, if applicable, as an additional insured. Proof of insurance is required at time of application.

## **Special Conditions**

In addition to the General Provisions of this Policy, the following special conditions apply to every sidewalk patio, sidewalk café and sidewalk display:

1. No person shall establish a Sidewalk Patio/Café/Display unless an agreement has been entered into with the Township.
2. The Applicant shall apply for and obtain permission through the execution of an agreement, prior to the installation of fencing and/or furnishings.
3. Sidewalk Patio, Café and Display furnishings, fences and other Sidewalk Patio, Café and Display improvements must be removable and not permanently affixed. All objects must be contained within the approved Sidewalk Patio, Café and Display area and removed during the off-season or after the Sidewalk Patio/café/ display ceases operation. The street, sidewalk and municipal property must be restored to its original condition to the satisfaction of the Township.
4. Music or other entertainment provided for patrons of a Sidewalk Patio and Café shall not be amplified or create a nuisance to neighbouring property owners/tenants. The Township reserves the right to revoke permits, without reimbursement of fees, where this nuisance occurs. Nuisance may include, but shall not be limited to, policereports of loud, boisterous, or unreasonable noise, offensive language or other disruptive behavior. All music must cease by 10:00 pm.
5. The Township retains the right of access to the Approved Sidewalk Patio, Sidewalk Café and Sidewalk Display area for the installation, maintenance and repair of pipes, cables, wires, poles, hydrants, etc., as necessary. In case of emergency work, no notice will be given. For scheduled work, a minimum notice of forty-eight (48) hours will normally be given. The Sidewalk Patio, Sidewalk Café improvements shall be removed and reinstalled at the Sidewalk Patio or Sidewalk Café. The Township does not take responsibility for any damage incurred when moving any fixtures from the patio/café/display sidewalk in an emergency situation.
6. The Township retains a right of access over, to and upon a Sidewalk Patio/Sidewalk Café and Sidewalk Display for emergency vehicle access.