



APPLICATION FOR TEMPORARY NON-DINING OUTDOOR AREA IN A MUNICIPAL LOT

The City of Pasadena has implemented the following procedures and regulations to facilitate the re-opening of barbershops, hair salons, personal care service establishments, gyms, fitness facilities, yoga and dance studios, and personal training in order to comply with COVID-19 related public health and safety protocols, social distancing requirements and guidelines established by the State of California, California Department of Public Health, California Department of Industrial relations (Cal/OSHA), and all applicable regulatory agencies. Any applicant seeking to expand its non-dining outdoor space in a City-owned (municipal) parking lot shall comply with the following (this application does not apply for dining establishments):

Eligible Uses

Businesses legally allowed to conduct business within the City of Pasadena which operate as a barbershop, hair salon, gyms, fitness facilities, yoga and dance studios, personal training, massage establishments and personal care service establishments (except tattoo establishments).

Application Process

- Complete this application form.
- Obtain a valid Certificate of Insurance with an endorsement for the City of Pasadena, see requirements attached.
- Submit application form and Certificate of Insurance via online portal at <https://www.cityofpasadena.net/planning/permit-center/covid-19-reopening/>.

Compliance with Local Guidance Documents and Protocols

- The proposed outdoor service area shall comply with the most updated [City of Pasadena Guidance Documents and Protocols](#).

Operating Standards

Outdoor service areas in municipal lots shall comply with the following standards at all times:

- The outdoor service area shall maintain adequate distance from all utilities and public infrastructure (e.g. public signs, fire hydrants, etc.) at all times. Access must be made available to manhole covers and other utility access or control devices in the event maintenance or repair is required.
- The temporary outdoor service area shall not be located in a manner which interferes with the flow of pedestrians or other traffic.
- The maximum height of any obstruction shall be 3 1/2 feet and all such obstructions shall be entirely portable and maintain at all times an ADA accessible path or ingress or egress point
- A permit may be issued only to businesses legally permitted to operate in the City of Pasadena. The hours of operation shall be limited to the hours of operation for the associated indoor dining.
- Due to the expedited nature of the review associated with this permit, tents, heaters, umbrellas, and shade structures over 400 square feet in area may not be approved under a this permit application.



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- A permit is not transferable to any entity or person and is valid only as to the original applicant.
- Use, occupation and obstruction of the municipal lot which is permitted under this application may be temporarily suspended, without prior notice or hearing, when, in the discretion of the director, the police chief, or the fire chief, any such use, occupation or obstruction may interfere with public safety efforts or programs, street improvement activities, construction activities, cleaning efforts or other similar activities or with the health, welfare or safety of the citizens of the city.
- The outdoor service area shall be kept in a good state of repair and maintained in a clean, safe and sanitary condition at all times. Regular cleanup of trash and debris shall be the responsibility of the applicant.
- The outdoor service area shall maintain designated ingress and egress points and shall be kept clear and accessible at all times. Business-specific dining areas in municipal lots (where the applicant is a restaurant) may be defined by placement of portable but sturdy fencing or other suitable dividers as required or approved by the director within the designated area.
- There shall be no modification of the texture of the surface of the municipal lot floor.
- Outdoor service areas in municipal lots are considered temporary and must be furnished in a way to be cleared within one hour without leaving damage or impacting the street.
- Trash receptacles should be portable, lined, well-maintained and kept in sanitary condition. Trash shall be removed at the end of the day.
- Tables, furniture, equipment and chairs shall be adequately spaced to ensure a minimum (more is better) of 6 feet between individuals at different tables. Tables and chairs are constructed of a material that is smooth and easily cleanable (plastic, metal), and disinfected after each use.
- Landscaping in movable planters must be maintained to avoid growth that may interfere with visibility or accessibility.
- All landscaping and potted trees shall be well-maintained and kept free of litter and debris.
- Advertising is not permitted.
- The outdoor service area shall be located in a manner which will not interfere with visibility, vehicular or pedestrian mobility or access to city or public utility facilities. The determination of whether a outdoor service area or any part thereof interferes shall be made by the Director of Transportation or their designee at the time of application based on the characteristics of each proposed site.
- There shall be no covering over any part of the outdoor service area except for individual table umbrellas.
- Promoter-produced parties or events shall be prohibited. These events include private parties that involve third parties who profit from organizing and/or drawing attendees to the events.



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- Customized lighting and sound system conducive of a nightclub atmosphere shall be prohibited at all times.
- Amplification of music shall comply with the regulations of Chapter 9.36 (Noise Restrictions) of the Pasadena Municipal Code.
- Live entertainment and dancing shall be prohibited at all times.
- Smoking is prohibited in all permitted outdoor service areas in municipal lots. Violators may be subject to a fine.
- The Director of Transportation may, in his or her sole discretion, place additional conditions upon the issuance of the permit in order to insure the protection of the public rights-of-way and the rights of all adjoining property owners and the health, safety and welfare of the public.
- Permits shall be considered temporary and nonpermanent in nature and permittee shall have neither property interest in nor any entitlement to the granting or continuation of any such permit.
- Permits may be terminated by the city, with or without cause, regardless of the nature and scope of financial or other interest in, or on account of the permit or the permitted use.
- All outdoor service areas in municipal lots shall operate in compliance with all public health guidelines and protocols related to COVID-19, as issued and updated by the Public Health Officer.



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IN MUNICIPAL LOT

PLEASE TYPE OR FILL OUT COMPLETELY IN INK

PROJECT ADDRESS or Street segment: DATE:

BUSINESS/TENANT NAME:

APPLICANT/AGENT:

Phone: Email:

Mailing Address: City: Zip:

PROPERTY OWNER NAME:

Phone: Email:

Mailing Address: City: Zip:

PROPOSED OPERATIONS:

- 1) Proposed outdoor service area (square feet); # of outdoor tables; # of outdoor chairs
2) Days in operation: M TU WED THUR FRI SAT SUN
3) Hours of operation: (Note: On-street dining hours may not exceed regular business hours of associated indoor dining establishment.)
4) Do you currently have a legal right to serve alcohol in the outdoor service areas in municipal lots? Yes No
5) Will all outdoor furniture abide by required social distancing requirements? Yes No

INSURANCE: See insurance requirements attached.

Table with 3 columns: For Office Use Only (Case #, Date Accepted, Received By), Site Plan (Provided and Complete, Not Provided/Complete), Liability Insurance (Provided, Not Provided), Indemnification/Certification (Completed, Not Completed)



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Project Address: _____ Business Name: _____

PLEASE TYPE OR FILL OUT COMPLETELY IN INK

INDEMNIFICATION

Applicant/Agent agrees to defend, indemnify, and hold harmless the City and its officers, contractors, consultants, employees, and commission members (collectively, "City") from any and all liability, loss, suits, claims, damages, costs, judgments and expenses (including attorney's fees and costs of litigation), including any appeals thereto (collectively, "proceeding") brought against the City with regard to any approvals issued in connection with the application(s) by the City, including any action taken pursuant to the California Environmental Quality Act. If Applicant/Agent is required to defend the City in connection with such proceeding, the City shall have and retain the right to approve counsel to so defend the City; and all significant decisions concerning the manner in which the defense is conducted; and any and all settlements, which approval shall not be unreasonably withheld. The City shall also have and retain the right to not participate in the defense, except that the City agrees to reasonably cooperate with Applicant/Agent in the defense of the proceeding. If the City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant/Agent. Further, Applicant/Agent agrees to defend, indemnify and hold harmless the City from and for all costs and fees incurred in additional investigation or study of, or for supplementing, revising, or amending, any document if made necessary by said proceeding.

Applicant/Agent (if different than owner) Signature: _____ Date: _____

Applicant/Agent Name (Please Print or Type): _____



PASADENA DEPARTMENT OF TRANSPORTATION

www.cityofpasadena.net/transportation

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IN MUNICIPAL LOT**

Project Address: _____ Business Name: _____

PLEASE TYPE OR FILL OUT COMPLETELY IN INK

Provide a **SITE PLAN** and include the following:

- Property lines, footprint of municipal lot, footprint of proposed outdoor service area.
- Location of barriers, tables, chairs, equipment, stations, furnishings, trash receptacles and distance. separation. Show compliance with all public health guidelines and protocols related to COVID-19.
- 6' social distance measured from nearest edge of each station.
- Location of patron entry and exit.
- Location of planned electrical and mechanical equipment.
- Locations of all above-surface improvements such as street light and sign poles, trees and tree wells, parking payment kiosks, news racks, electric vehicle charging stations, and trash receptacles.
- The existing and proposed pedestrian circulation pattern. Show compliance with ADA requirements.



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Proposed Site Plan: In the space below, or in a separate 8.5" x 11" attachment, please provide a drawing of the proposed outdoor service area in accordance with the requirements on Page A-6.

< Insurance Requirements >



NON-DINING PERMIT INSURANCE REQUIREMENTS

PLEASE WORK WITH YOUR INSURANCE REPRESENTATIVE(S) TO PROVIDE SUFFICIENT PROOF OF COVERAGE AS REQUIRED HEREIN. IF THE DOCUMENTATION PROVIDED IS INSUFFICIENT, IT WILL DELAY THE ISSUANCE OF THE PERMIT.

Name of Company: _____

Project Location: _____

Project location is not mandatory on the insurance documents. Including the project address on your insurance certificate will limit its validity to that location only, and cannot be used Citywide for future projects.

Job Description: _____

- 1. PLEASE PROVIDE ALL FIVE (5) DOCUMENTS LISTED BELOW IN ONE PACKAGE.**
- 2. PLEASE SUBMIT THESE IN ONE (1) PDF WHEN ALL DOCUMENTS ARE READY, ALONG WITH THIS COMPLETED FORM. THEY WILL BE FORWARDED TO OUR CITY ATTORNEY'S OFFICE FOR FURTHER REVIEW AND FINAL APPROVAL.**

A. **General Liability:** Minimum limit of \$1,000,000 per occurrence, with "City of Pasadena, its Council Members, Commissioners, officers, employees, and agents" as Certificate Holder.

A1. **Additional Insured Endorsement form(s)** Naming as Additional Insured: "City of Pasadena, its Council Members, Commissioners, officers, employees and agents". Alternatively, a blanket endorsement allowing for the same additional insured coverage as required per written contract is also acceptable.

Acceptable form numbers include: CG 20 12;

or both of these forms: CG 20 10 XX XX (for *ongoing* operations) **AND** CG 20 37 XX XX (for *completed* operations).

A2. **Endorsement Waiver of the Right of Subrogation for General Liability** against the "City of Pasadena..." or "as required per written contract."

B. **Worker's Comp and Employer's Liability** in statutory amounts. A separate certificate may be submitted.

B1. **Endorsement Waiver of the Right of Subrogation for Worker's Comp** against the "City of Pasadena ..." or "as required per written contract."

NOTE: All endorsements must reference the applicable policy numbers and effective dates. A statement on an insurance certificate will not be accepted in lieu of the actual endorsements required herein.

The Specification or Request for Insurance may be amended by the City, to require less or greater requirements depending on the potential risk involved.

Turn-around time for insurance review and approval is **approximately three (3) working days**. Insurance review and approval must be completed before a permit can be issued.

Submit via application portal along with all five documents:

www.cityofpasadena.net/reopening-permits

Include this completed form with your insurance submittal.

OTHER CRITICAL INCLUSION:

If the permittee maintains broader coverage and/or higher limits than the minimums shown above, City requires and shall be entitled to the broader coverage and/or the higher limits maintained by the permittee. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage required, which are applicable to any given loss, shall be available to City.

Permittee's insurance coverage shall be primary and non-contributory insurance coverage at least as broad as ISO CG 20 01 04 13 as respects City, its City Council, its officers, officials, employees, agents, and volunteers.

The City of Pasadena shall be given 30 days written notice of cancellation or material change. The certificate submitted will not be approved if it contains "best effort" modifiers or if it relieves the insurer from responsibility for failure to give notice.

Insurance is to be placed with insurers authorized to conduct business in the state of California with a current A.M. Best's rating of no less than A:VII.

SAMPLE

for Endorsement forms

Note: These samples are for reference purposes only.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED –
STATE OR POLITICAL SUBDIVISIONS – PERMITS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Political Subdivision:

City of Pasadena, its Council Members, Commissioners, officers, employees and agents
100 N. Garfield Ave.
Pasadena, CA 91101

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**WAIVER OF TRANSFER OF RIGHTS OF RECOVERY
AGAINST OTHERS TO US**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

City of Pasadena
100 N. Garfield Ave.
Pasadena, CA 91101