



City of Fremont Pop Up Patio Pilot Program Application

SECTION 1: APPLICANT INFORMATION

Name of Business: _____

Business Address: _____

Type of Business (Check all that apply): Restaurant Retail Personal Services Other: _____

Do you have a Fremont Business Tax License (BTL)? Yes, BTL No.: _____ No

Primary Contact Name: _____

Email Address: _____ Primary Phone #: _____

SECTION 2: PATIO INFORMATION

Location of Patio (Check all that apply): Public sidewalk Public parking spaces Private property

Patio Start Date: _____ Patio End Date: October 31, 2020

Proposed Days of Operation (i.e. Monday-Friday): _____

Proposed Hours of Operation (i.e. 9:00AM – 9:00PM): _____

Will any businesses other than the sponsoring business sell items on your patio, or allow their patrons to utilize your patio? Yes No

SECTION 3: PATIO CONSTRUCTION

1. Please identify what type of barriers, walls, or railings your patio will use. Please see the City's [Pop Up Patio Sample Diagrams](#) for examples of appropriate materials:

- My patio is located only on a sidewalk and it will not have any barriers, walls, fencing, or railings
- Traffic drums
- Water-filled barriers
- Fencing. Material: _____ Height: _____ Reflectors? Yes No
- Decorative pots/planters (may only be used within private parking lots)
- Traffic cones (may only be used within private parking lots and in conjunction with fencing)
- Other, please describe: _____

2. Please list and describe all furniture that will be used as part of your Pop Up Patio:

3. Will the Pop Up Patio use any of the following furniture items?

- Portable toilets Yes No
- Barbeques, grills, stoves, or other outdoor cooking appliances Yes No
- Temporary tents that require a building permit Yes No
- Portable heaters Yes No
- Signs, other than those required by the City, County, or State for reasons of public health and safety such as signs with required postings related to COVID-19 Yes No
- Any furniture item that requires the applicant to place utilities, such as a cord or extension cable, across the sidewalk or public right-of-way Yes No
- Any furniture item that is permanently attached or affixed to City property Yes No

4. Recycling, garbage, and compost containers are required for all Pop Up Patios. Where will recycling, garbage, and compost bins be provided for your patio?

On the patio Inside the business Other, please describe: _____

5. Will customers of the patio have access to an accessible restroom located inside your business?

Yes No My business does not usually have public accessible restroom

SECTION 4: ENTERTAINMENT AND SOUND

Acoustic musicians, live entertainment and amplified sound (recorded music) **IS NOT** permitted under the Alameda County Health Order. No acoustic musician or amplified sound, including recorded music, shall be permitted at the Pop Up Patio outdoor space pursuant to the *Alameda County Health Order No. 20-14a – Appendix C: Additional Businesses & Activities Permitted*. If at a future date, when the Alameda County allows “entertainment events” and the applicant wishes to have performance of an acoustic musician or use amplified sound within the Pop Up Patio, a request shall be made in writing to the City. Applicant shall not have acoustic musicians or begin the use of amplified sound until a modified permit is issued by the City.

I have read and understand the above.

SECTION 5: ALCOHOL

1. Will alcohol be sold? Yes No *If no, please skip to Section 6.*

What kind? Beer and wine All Alcohol

Between what hours will alcohol be served? From _____ AM/PM To _____ AM/PM

★ **ABC 218 - COVID-19 Temporary Catering Authorization Permit:** The California Department of Alcoholic Beverage is offering a temporary catering permit to allow businesses with valid ABC Permits to serve alcohol on adjacent premises. For more information and to apply for ABC 218, please visit the Department of ABC’s website on ABC-218 CV19 at <https://www.abc.ca.gov/wp-content/uploads/forms/ABC218CV19.pdf>. Please attach a copy of your ABC 218 Temporary Catering Authorization Permit application, if applicable.

SECTION 6: TRAFFIC CONTROL PLAN

A traffic control plan is required only if outdoor dining is proposed within on-street parking spaces adjacent to a public roadway with a speed limit above 25 MPH.

- My Pop Up Patio is not located on-street and does not require a Traffic Control Plan. *Please skip to Section 7.*
- My Pop Up Patio does require a Traffic Control Plan. I have attached it to this application.

★ **Traffic Control Plan:** Developing a traffic control plan requires coordination with City of Fremont Transportation Engineering Staff. Please contact popuppatio@fremont.gov to begin consultation with staff. The Traffic Control Plan must be attached to your completed application.

SECTION 7: PARKING PLAN

A parking plan is never required for outdoor areas located on sidewalks or plazas. For an outdoor dining area located within on-street parking spaces, a parking plan is required if the dining area would close more than 50% of the parking spaces within a street block. For an area located within private parking spaces, a parking plan is only required if the area would close more than 30% of parking spaces within a private parking lot.

- My Pop Up Patio does not require a parking plan. *Please skip to Section 8.*
- My Pop Up Patio does require a Parking Plan. I have attached it to this application.

★ **Parking Plan:** The parking plan must identify parking spaces in the vicinity of the site to demonstrate that there is adequate standard parking and accessible (ADA) parking available. If off-site private parking will be used, you must provide consent from the relevant property owners to utilize their parking lot. The Parking Plan must be attached to your completed application.

SECTION 8: INSURANCE INFORMATION

1. For patios on public property, do you have at least \$1,000,000 in general liability insurance naming the City of Fremont as an additional insured?

- My patio is not located on public property Yes No

★ **Insurance Documentation:** If your patio is located on public property, please attach a copy of the insurance certificate and separate additional insured endorsement to the end of the application.

AFFIDAVIT OF APPLICANT

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief and that I have read, understand and agree to abide by the rule and regulations governing the proposed Special Event under the Fremont Municipal Code 12.25.010 to 12.25.130. I understand that this application is made subject to the rules and regulations established by the City Council and/or the City Manager or the City Manager's designee. Applicant agrees to comply with all other requirements of the City, County, State and, Federal Governments, and any other applicable entity which may pertain to the use of the Event venue and the conduct of the Event. I agree to abide by these rules and further certify that I, on behalf of the Host Organization, am also authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event to the City of Fremont.

Signature: _____ Date: _____

Print Name: _____ Title: _____

PROPERTY OWNER AUTHORIZATION

Required for all applications on private property. If your patio is located on public City property, you are not required to complete this section.

Upon three days prior notice by City of Fremont staff, I shall provide access to the subject site for City officials, staff, their agents, and consultants for the purpose of application review and inspection. Myself or my agent may accompany such persons while they access the site. If I fail to respond to a request for access within three days, City officials and staff are authorized to enter onto the site for such review and inspection. Choose one:

- I am the sole owner of the Event site and hereby authorize the filing of this application.
- I own the Event site jointly with one or more persons and am empowered to authorize the filing of this Special Event Permit application on behalf of my fellow property owners.
- I own the Event site in conjunction with one or more persons who are listed with their acknowledgement and authorization for the filing of this application. Additional property owner authorization/acknowledgements are attached, as necessary.

I (we), the owner(s) of the real property that is the subject of the application, hereby declare that I (we) have received, read, and authorized the filing of the attached Special Event Permit application.

Property Owner Name (Print): _____

Property Owner Signature: _____

Date: _____ Phone: _____ Email address: _____

If multiple property owners must authorize the application, please attach additional authorization signatures.