



**Community Development Department
Planning Division**

200 Old Bernal Avenue • P.O. Box 520
Pleasanton, California 94566-0802
Phone 925-931-5600 • pod@cityofpleasantonca.gov
www.pleasantonpermits.com

DOWNTOWN POP-UP TEMPORARY USE OF CITY RIGHT-OF-WAY

The City of Pleasanton will allow for business to install temporary “pop-ups” within on-street parking spaces and on the sidewalk. The intent of the program is to offer downtown businesses the opportunity to expand outdoor dining and display areas into the right-of-way while maintaining appropriate social distancing, consistent with activities allowed by the County of Alameda Health Order (Order). Please review the Downtown Pop-up Guidelines for direction on location, design, and other regulations for your pop-up. All pop-ups must comply with the Guidelines.

Please email the completed application, along with a site plan diagram or aerial photo of proposed setup, to pod@cityofpleasantonca.gov for staff to review and process.

Location of Existing Business: _____
(Street Address, Suite. No) (Zip Code)

Business Owner’s Name (Print): _____

Name of Business: _____

Bus. Phone: (____) _____ **Email:** _____

Mailing Address (if different from above): _____
(Address, City, State, Zip Code)

Please **check each box, sign and date below** to indicate you understand and will comply with the following regulations:

- The pop-up shall be allowed for the duration of the Downtown Pop-Up program. The City reserves the right to remove a pop-up that impedes pedestrian, vehicle circulation, or emergency access, that causes a safety hazard, or is otherwise in noncompliance with the Downtown Pop-Up Guidelines.
- The pop-up meets all regulations in the Downtown Pop-Up Guidelines.
- Permittee shall comply with all laws, statutes, regulations, ordinances and requirements now in force, or which may come into force, pertaining to the Public Property, including, but not limited to, providing and maintaining appropriate clearances and access compliant with the Americans with Disabilities Act (ADA) and Title 24 of the California Code of Regulations for the public sidewalk adjacent to the outdoor dining or display area.
- Temporary outdoor dining area where alcoholic beverages will be served shall include appropriate fencing or other barriers to delineate the space and adhere to Alcohol Beverage Control (ABC) regulations. The barrier material shall be durable enough to ensure public safety. [Note: Any ABC-required permit shall be obtained, prior to operation. <https://www.abc.ca.gov/abc-218-cv19-instructions/>]
- Permittee shall comply with all provisions of the Alameda County Order of the Health Officer, and as it may be amended or superseded, allowing restaurants and/or retail stores to operate for outdoor dining and curbside pickup.
- Permittee shall obtain and maintain for the duration of this Agreement commercial general liability insurance with at least \$2,000,000 combined limit for bodily injury and property damage. Permittee shall also obtain Workers' Compensation Insurance as required by law.
- Permittee shall hold harmless, defend, and indemnify the City, its officers, agents, and employees from and against all claims for liabilities, losses, penalties, fines, injuries to or death of any person, or damage to any

property whatsoever, including without limitation, reasonable attorneys' fees and costs which the City may suffer or incur arising from or in any way connected to Permittee's use of the Public Property. If a legal action is brought to enforce the terms of this Application, or for matters arising out of Permittee's use of the Public Property, City shall be entitled to all costs, including reasonable attorneys' fees.

I certify I have read, understand, and will comply with the regulations indicated above and that this approval applies to the existing business at the address listed above.

Business Owner's Signature: _____ **Date:** _____

(For Staff Use)