



Outdoor Commercial Patio Program Application

Please use this form in order to submit your application for an Outdoor Commercial Patio permit. In addition to the completed form, the following attachments are required:

	Attached	N/A
Attachment A: Property Owner Authorization.....	<input type="checkbox"/>	<input type="checkbox"/>
Attachment B: Neighbor Authorization	<input type="checkbox"/>	<input type="checkbox"/>
Attachment C: Site Plan.....	<input type="checkbox"/>	----
Attachment D: Catalogue of Materials	<input type="checkbox"/>	----
Attachment E: ABC Authorization Form	<input type="checkbox"/>	<input type="checkbox"/>
Attachment F: Insurance Documentation	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 1: APPLICANT INFORMATION & SIGNATURE

Sponsoring Business Name: _____

Business Address: _____

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

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

Do you have an existing Pop Up Patio permit? Yes No I don't know.

Primary Contact Name: _____

Email Address: _____ **Primary Phone #:** _____

Applicant Certification and Signature: I certify that the statements made as part of this application are true, complete, and correct and that no material information has been omitted.

Applicant Signature

Date

SECTION 2: PERMISSION TO FILE

Property Owner Name: City of Fremont Private Owner: _____

ATTACHMENT A – PROPERTY OWNER AUTHORIZATION: If your application is for a patio on private property, please attach the City's [Property Owner Authorization Form](#).

Does the patio include an area in front of another adjacent business? Yes No I don't know.

ATTACHMENT B – NEIGHBOR AUTHORIZATION: If your application is for a patio that includes an area located in front of a neighboring business, please provide a letter from the adjacent business owner providing permission for you to install the patio in that location.

SECTION 3: PATIO OPERATIONAL INFORMATION

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 utilize your patio? Yes No

Please check the box to indicate that you accept the following operational conditions of approval:

- I shall maintain the patio and adjacent areas in a neat, clean, and orderly condition.
- I shall remove all easily-portable furniture items from the patio daily after business hours.
- I shall provide trash, recycling, and compost containers for the patio.
- I shall provide access to indoor restroom facilities for customers using the patio.
- I shall not use any barbeques, grills, stoves, or outdoor cooking appliances in the patio.
- I shall ensure that noise from the patio does not exceed the standards set for my business (based on location and type) in Fremont Municipal Code Sections 9.25 and FMC 18.188.

SECTION 4: PATIO CONSTRUCTION

Please indicate the size of the patio: _____ square feet and/or _____ parking spaces

Options for approved barriers and approved accessibility plans are found within the [Outdoor Commercial Patio Guidebook](#). Please reference the Guidebook as you complete the following section of your application.

Please indicate which approved barrier you will use for your patio:

- Type A Type B Type C Type D Type E Type F I will not use a barrier.

Please indicate which accessibility plan you will use for your patio:

- Option 1 Option 2 My patio is in an area that is already flush with the curb.

ATTACHMENT C – SITE PLAN: Please attach a site plan that is drawn to scale and shows the patio and adjacent facilities, including the following information:

- Location of the business storefront and front entrance and adjacent storefronts
- Dimensions of the patio, adjacent sidewalk, and any accessible path of travel to the patio
- Location of proposed barriers, accessibility infrastructure, and furniture items
- Setbacks from adjacent parking spaces, traffic lanes, driveways, and/or street corners, as applicable
- Locations of nearby utilities including any manhole covers, gutter drains, fire hydrants, etc.

Please indicate which of the following furniture items you will use on your patio:

- | | | |
|---|--|---|
| <input type="checkbox"/> Tables | <input type="checkbox"/> Chairs | <input type="checkbox"/> Portable heaters |
| <input type="checkbox"/> Umbrella | <input type="checkbox"/> Tent, <u>under</u> 400 sqft in area | <input type="checkbox"/> Tent, <u>over</u> 400 sqft in area |
| <input type="checkbox"/> Canopy/shade structure | <input type="checkbox"/> Electric lights | <input type="checkbox"/> Solar or battery lights |
| <input type="checkbox"/> Other (please specify here): | | |

ATTACHMENT D – CATALOGUE OF MATERIALS: For each item of furniture that you have indicated above, please attach a catalogue/brochure sheet or provide a website link to an online product page.

SECTION 5: ALCOHOL

Will alcohol be served? Yes No

If yes, what type? Beer Wine Hard liquor

ATTACHMENT E – ABC AUTHORIZATION: The California Department of Alcoholic Beverage Control (ABC) regulates alcohol service on premises adjacent to a business. If your business serves alcohol, please attach a copy of your ABC Authorization.

SECTION 6: INSURANCE & LIABILITY INFORMATION (FOR PATIOS ON CITY PROPERTY ONLY)

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

ATTACHMENT F – INSURANCE DOCUMENTATION: If your patio is located on public property, please attach a copy of the insurance certificate and additional insured endorsement to the end of the application.

SECTION 7: REVOCATION

Please check the box to indicate that you understand the following conditions related to permit revocation:

- An outdoor commercial patio permit may be revoked or modified due to the following violations:
- The outdoor commercial patio area is not operated as required in this section.
 - The associated business is not able to control patrons within the outdoor patio.
 - The outdoor commercial patio area interferes with the public use of the sidewalk or street.
 - Continuance of outdoor commercial patio pursuant to the permit would have a substantial adverse economic effect on nearby property or would adversely affect pedestrian circulation.
- For patios on City property, City staff shall have the right to suspend or prohibit the operation of an outdoor commercial patio area on City property due to anticipated or actual conflicts in the use of City property, such as:
- Festivals, parades, marches, and similar special events;
 - Repairs or modifications to the street, sidewalk, or other public facility;
 - Demonstrations or emergencies occurring in the area.

To the extent possible, the City will give prior written notice of any time period during which the operation of the outdoor commercial patio area must be suspended.

- For patios on City property, if the permittee fails to correct violations on City property within a reasonable timeframe after being notified of the violation by the City, the City is entitled to immediately correct the violation, including the removal of furniture and/or appurtenances, at the expense of the permittee.

Applications and attachments may be submitted either in person at the City's [Permit Center/Development Services Center](#) (39550 Liberty Street) or via email to popuppatio@fremont.gov.