



Sidewalk Café Permit Application

STAFF USE ONLY

Date Received: _____
Date Complete: _____
Date Approved: _____
Permit Number: _____
Staff: _____

Disclaimer

While the City recognizes the potential for Sidewalk Cafés to enhance the public realm, the grant of a permit is a privilege and not a right.

All Sidewalk Café permits are wholly of a temporary nature and can be revoked by the City of Tulsa at any time. Further, the City will, and by law must, retain the right to deny, restrict, or revoke this privilege in any instance where the public benefit of said permit is in doubt.

Sidewalk Café permit holders must comply with the terms and conditions of the permit, and must keep the sidewalk clean, safe for pedestrians, and clear of obstructions. In the event that a Sidewalk Café does not meet the terms and conditions of the permit, the City of Tulsa may issue a Notice of Violation or may revoke the permit.

An encroachment placed upon or maintained within the public right of way or a public easement contrary to the terms of the Sidewalk Café permit program shall constitute a public nuisance. Businesses that have encroached upon a public right of way or public easement shall remove the violation or incur a fine. The encroachment shall not return to the public right of way or public easement until the issue has been completely resolved either by appeal, amendment, or re-permitting.

The City of Tulsa will strive to give adequate notice when possible to permit holders (typically 30-days) in the event that the Sidewalk Café area must be removed from the right-of-way for an event, construction, or for any other reason. In an emergency, the City of Tulsa may immediately clear the Sidewalk Café to preserve public health and safety. If this should occur, the City of Tulsa will not be responsible for damages, including revenue losses.

A **new permit** is required if a business is sold. A **permit amendment** is needed if site conditions will change. If an Amendment Form was not submitted prior to making modifications, and/or the modifications are not in compliance with Sidewalk Café regulations or the original approved permit application, the permit will be revoked.

1. Contact Information

Applicant Name: _____

Phone: _____ Email: _____

Mailing Address: _____

City: _____ State: _____ ZIP: _____

2. Business Information

Legal Business Name: _____

Common Name (Doing Business As): _____

Business Phone: _____

Business Address: _____

City: _____ State: _____ ZIP: _____

3. Location Details & Description

Name of Street or Streets on which the sidewalk café will be located:

North East South West side of _____ (Street name)

North East South West side of _____ (Street name)

Total Square Feet of Project in Right-of-Way: _____

4. Sidewalk Café Description

If applicable, please include information about how furniture is to be secured.

Example: Build a 6-foot by 18-foot sidewalk café area outside our business; surround area by a 42-inch high border constructed of natural wood.

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5. Certification and Hold Harmless Agreement

I certify that the information contained in this application and any other materials submitted in the course of my application for a Sidewalk Café Permit is true to the best of my knowledge.

I shall hold the City of Tulsa, its officers, agents and employees, and the adjacent property owner free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including any appeals therefrom, which may result from the granting of this permit.

Being duly sworn upon oath, I state that I have researched and examined or caused to be researched and examined all recorded documents and instruments relating to said real property, and that all recorded easements, dedications and rights of way are known to me and are delineated on the plot plan which is a part of the application for building permit for new construction and/or enlargements of an existing building. It is understood that issuance of such building permit does not authorize or permit construction of a permanent structure over or upon any easement, dedication or right of way.

Applicant Signature: _____ Date: _____

6. Complete Application and Project Checklist

The following materials must be submitted to complete your application; if all materials are not received within 30 days of initial submittal, your application will be returned as incomplete.

Application Checklist

- Sidewalk Café Application (*this form*)
- Application fee payment (*see page 29 in permit program manual*)
- Responsible Party Agreement
- Property Owner Consent
- Current Certificate of Insurance and Endorsement
- Letter of Authorization from [Tulsa Health Department](#) (*i.e. copies of City/State Food Licenses*)
- Extension of Premises Drawing to [Oklahoma ABLE Commission](#) (*if serving alcohol*)

Project Checklist

- Site Plan (*see program manual*)
- A minimum of three (3) digital color photographs of the proposed Sidewalk Café area
(*see program manual*)
- Product brochures, color photographs, and/or manufacturer cut sheets of proposed furniture

Sidewalk Café Permit

Design Standards Checklist

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Sidewalk Café Design Standards Checklist

Any item which is on the following list and which is visible on the proposed site must be shown on the site plan submitted with this application. All items listed on this form will be checked by staff.

If applicable, dimensions must be included.

If dimensions are not applicable, leave the box blank.

If an item on the list below is not visible at the site, please check the item off as “not applicable” (N/A).

Visible Items	Shown	N/A
Utility Poles	
Street Lights.....	
Parking Pay Stations	
Vaults (<i>manholes, etc.</i>)	
Bus Stops	
Bus Shelters.....	
Traffic Signs.....	
Sign Post	
Tree Pits.....	
Pedestrian Paths	
Sidewalk Intersections	
Fire Hydrants	

Sidewalk Site Plan Checklist

Make sure the following items are included on your site plan.

- Width of Adjacent Sidewalks (*from face of building to back of curb*)
- Width of unobstructed pedestrian zone
- Distance from the proposed Sidewalk Café Area of Operation to the nearest intersection
- Name and location of adjoining streets or alleys
- North Arrow and Scale
- Sidewalk Café Area of Operation dimensions (*delineate area with a dashed line*)
- Label adjacent building facade and facade length
- Building door swing dimensions
- Sidewalk Café ABLE Requirements (*36"-42" fence/barrier around proposed area*)

	Yes	No	N/A
Will a minimum of 5’ wide unobstructed pedestrian zone be provided at all times?	
Will setbacks meet minimum ADA standards ?	
Will setbacks meet the City of Tulsa Ordinance requirements?	
Will a 3’ clear path of travel from any building exit be maintained at all times?.....	
If proposing a fence, does it comply with the ADA standards ?	
Is the furniture movable?	

Sidewalk Café Permit

Site Plan

STAFF USE ONLY

Permit Number: _____

Please illustrate your site plan below and indicate the scale and include a North arrow.
Example scale: 1 foot equals 5 small squares.

If you have attached a drawing of your site plan to this application, please check this circle.

A full page of blank graph paper. The grid consists of small squares formed by thin gray lines. There are no margins or additional markings on the page.

Sidewalk Café Permit

Responsible Party Agreement

STAFF USE ONLY

Permit Number: _____

I, _____ (the Applicant), understand that a condition of the granting of my Sidewalk Café Permit is that I abide by this agreement. Failure to do so will result in the revocation of my Sidewalk Café Permit.

I understand that I am ultimately responsible for all violations of any City, County, and State code or regulation that result from the operation of my Sidewalk Café. I will familiarize myself with any applicable code and will take immediate action to ensure that any violations are corrected.

I understand that any violations that result from the operation of my Sidewalk Café are potentially citable offenses and that the citation may cite you, the Responsible Party, even if you are not overseeing the operation of the business, or at the business location, at the time of the citation.

I will ensure that an employee of the business using my Sidewalk Café Permit is, at any time that my Sidewalk Café area is operating, overseeing the operation of the Sidewalk Café area and taking immediate action to ensure that any violations are corrected. I will familiarize any employee who is overseeing business operations or the operation of the Sidewalk Café with any applicable code or regulation and inform them of their responsibilities.

If ownership of the property to which my Sidewalk Café is adjacent changes, I will submit an updated Sidewalk Café Property Owner Consent form to the Sidewalk Café program. A Sidewalk Café Permit is non-transferable.

Applicant Signature: _____

Date: _____

Sidewalk Café Permit

Property Owner Consent

Complete if the business owner is different than the property owner.

STAFF USE ONLY

Permit Number: _____

I, _____ (Property Owner),
authorize _____ (Business Owner) to operate
the Sidewalk Café for _____ (Business).

This consent shall run concurrent with the Sidewalk Café Permit. If at any time the permit expires or is revoked, this consent shall be void.

The operator of the Sidewalk Café is required to comply with all applicable sections of City, County, and State code. Failure to do so may cause the permit for said location to be revoked.

I understand this consent may be revoked in writing with the revocation to become final on June 30th of the same calendar year, or June 30th of the following year, whichever comes first. Any revocation received on June 1st through June 30th shall become effective thirty (30) days after receipt. Written revocation must be submitted to:

Tulsa Planning Office at INCOG
2 W. 2nd St., Suite 800
Tulsa, Oklahoma 74103

The business owner agrees to hold the property owner free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including any appeals therefrom, which may result from the granting of this permit.

The property owner is ultimately liable for any damage resulting from the condition of the sidewalk and is responsible for reconstructing, maintaining and repairing the sidewalks, curbs, driveways and parking strips abutting or immediately adjacent to their property.

Business Owner's Signature: _____ Date: _____

Business Owner's Name: _____ Phone: _____

Mailing Address: _____

City: _____ State: _____ ZIP: _____

Property Owner's Signature: _____ Date: _____

Property Owner's Name: _____ Phone: _____

Mailing Address: _____

City: _____ State: _____ ZIP: _____

Sidewalk Café Permit

Insurance and Endorsement Information

STAFF USE ONLY

Permit Number: _____

Insurance requirements for street and sidewalk use permits: The City of Tulsa requires the following two documents for Street and Sidewalk Use Permits. The certificate and endorsement must be approved by the City Attorney before a permit can be issued. Please allow six (6) business days for processing.

1. A Standard Certificate of Liability Insurance: The insurance certificate is intended to protect the public from any liability it may incur as a result of granting the requested permit. The certificate shall contain the following:
 - City of Tulsa named as the Certificate Holder with following address:
City of Tulsa
175 E 2nd Street
Tulsa, Oklahoma 74103
 - Minimum Coverage Requirements for Liability Insurance:
 - Per Occurrence coverage not less than \$1,000,000 (one million dollars) per occurrence.
 - General Aggregate coverage not less than \$2,000,000 (two million dollars).
 - Notification of Cancellation:
 - The City of Tulsa requires thirty (30) days written notice from the insurance company prior to cancellation of the policy.
 - In the “Description of Operations...” section of the certificate:
 - Indicate the type of permit requested (Sidewalk Café Permit)
 - If the insured seeks a permit for a location/locations that are different than the Insured’s address on the certificate, the location(s) must be listed.
2. Insurance Endorsement form: The City of Tulsa accepts endorsements referring to permits and state or political subdivisions.
 - The City of Tulsa *must* be listed in the schedule section of any endorsement where one is included.
 - The policy number on the certificate and on the endorsement must be an exact match.
 - The following endorsements are accepted:
 - Street and Sidewalk Use Permit Endorsement

Questions and Submissions

Sidewalk Café Permit Program

urbandesign@incog.org

Tulsa Planning Office at INCOG, 2 W. 2nd St., Suite 800, Tulsa, Oklahoma 74103

Sidewalk Café Permit

City of Tulsa Street & Sidewalk Use Permit Endorsement

STAFF USE ONLY

Permit Number: _____

Insured: _____

Affording Co: _____

Policy Number: _____

Effective: _____

This policy shall bear also the following endorsement:

“It is understood and agreed that this policy shall not terminate or be canceled without first giving thirty (30) days written notice of intention to terminate or to cancel said policy to the City of Tulsa c/o Tulsa Planning Office at INCOG, 2 W. 2nd St., Suite 800, Tulsa, OK 74103.”

This endorsement assures that the policy complies with the terms and conditions of the named insured's permit with the City of Tulsa.

Authorized Insurance Representative Signature: _____

Date: _____

Name and Address of Certificate Holder: City of Tulsa
175 E. 2nd St.
Tulsa, Oklahoma 74103