



# City of Martinez Outdoor Dining Application

+ Noise Exception Permit

525 Henrietta Street  
Martinez, CA 94553  
(925) 372-3500

## BUSINESS INFORMATION

Business Name

Business Address

Business Owner Name

Business Owner Address

Business Owner Email

Business Owner Phone

Type of Business  Restaurant/Coffee Shop  Other  
 Bar/Brewery

Property Owner Name

Property Owner Address

Property Owner Email

Property Owner Phone

## PROJECT INFORMATION

If you participated in the program previously, are there any changes to your application from last year?

Yes  No  N/A

*If no, please skip the remainder of this section, and noted sections on the reverse of this sheet.*

Will you be using the sidewalk or street space in front of an adjacent business?  Yes  No

*If yes, please submit an approval letter from adjacent business owner(s).*

Describe below how you plan to use the outdoor dining/retail space. Include details on anything you plan to place (chairs, etc.) or sell in the space. Please provide a site plan showing layout on the reverse of this sheet.

## INSURANCE, LICENSING, AND OTHER REQUIREMENTS

1. Copy of business license

2. Certificate(s) of insurance and endorsements as follows:

- A. Commercial General Liability of at least \$2 million per occurrence, and naming the City as additional insured for all liability arising out of the operations of the named insured and the issuance of the permit. Coverage shall be at least as broad as ISO forms, CG 20 10 10 01, CG 20 01 04 13, CG 24 04, and CG 20 12 04 13.
- B. Liquor liability, if applicable, in the amount of \$1 million per occurrence.
- C. Workers Compensation Coverage, as required by the State of California, including a waiver of subrogation endorsement in favor of the City of Martinez.

3. Payment of \$250 application fee. Retail establishments are exempt from this fee. Please submit payment at City Hall, 525 Henrietta Street, Mon.-Fri, 9:00am-3:00pm.

## LIABILITY

Application shall be in accordance with the Martinez Municipal Code and other applicable codes. Except for City's sole negligence, willful misconduct or active negligence, applicant agrees to indemnify, defend, release and save harmless City, its officials, officers, agents and employees from and against any and all claims, liabilities, actions, damages or penalties by any person including applicant, his/her employees and agents for any personal injury, death or damage to property from any cause whatsoever arising out of or in connection with the issuance of this permit, the activities of Permittee, is/her employees, officers, officials, guests, contractors, invitees and agents and/or work and/or activities permitted pursuant to this permit. Applicant shall so indemnify City regardless of: City's approval of plans or inspection, any limitation on the amount or type of damages or compensation payable by or for applicant under workers compensation, disability or other employee benefit acts, or the terms, applicability or limitations of any insurance held by applicant.

By checking this box, I understand and agree to these terms and conditions.

## INFORMATION ON LIVE/AMPLIFIED MUSIC PROPOSED

Please note: all live or amplified outdoor music must end by 9:30pm.

1. Dates of performance:

2. Hours of performance:

3. Location of performance:

## SITE PLAN

*Skip this section if no changes from last year.*

## APPLICATION PROCESS

Application will be reviewed by City staff and applicants are subject to the terms and conditions of approval imposed on them by the City.

Upon approval of permit, City staff will provide a map of approved encroachment area and mark the designated areas on the street. The applicant is responsible for adhering to Federal, State, and ABC requirements applicable to their specific business type. Permit holders must maintain a 48-inch clear path of travel on the sidewalk.

## SELF-ATTESTATION

I have read the [Downtown Outdoor Dining and Retail Program Guidelines](#) and understand that each such Guideline constitutes a condition of approval of this Permit and that non-compliance with any of these will result in revocation of the encroachment permit, noise exception permit, and/or enforcement action by the City of Martinez.

I agree to the terms and conditions of approval and understand that this permit may face revocation at any time.

By checking this box, I understand and agree to these terms and conditions.

Signature of business owner: \_\_\_\_\_

Date: \_\_\_\_\_