



Sidewalk Café Permit Guidelines

Operational Requirements for Sidewalk Cafés as outlined in [SMC Chapter 12.15](#) shall remain in effect as described below and shall generally apply to all private business operations including retail establishments.

General Requirements

The café will need to maintain table and chair seating for not less than 15 square feet per person per seat. Awnings, lighting, and other construction will need to conform with applicable provisions of the Uniform Building Codes and applicable City codes. The area will need to be cleared when not in use as a sidewalk café or as required by the appropriate City official, and as may be necessary to accommodate deliveries to adjacent or other nearby properties. [A Guide for Expanded Restaurant + Retail Space](#)

Application Site Plan

Must include a minimum 8 ½ x 11-inch site specific plan of the proposed sidewalk café with your application. The site plan will need to illustrate building frontage dimensions, sidewalk dimensions (e.g. distance from the building to back of curb), café dimensions, street tree locations (distance to café), street furniture locations (e.g. benches, newspaper boxes), size and placement of tables, loading zones, and alleys. If an enclosure is proposed, identify the type and profile of the barriers to be used to enclose the sidewalk café and any other obstructions in the area. Placement of Sidewalk Café must leave a minimum of four (4) feet of unobstructed sidewalk. In the case of tree wells adjacent to site, a minimum of four (4) feet of clearance shall be maintained from the edge of the tree grate/well.

Fees

Please see the most current [Development Services Fee Schedule](#).

Application Review and Approval

Copies of the application and plan will then be sent to all concerned City departments. Surrounding property owners will be notified by the applicant, and public notices shall be posted onsite. There is a minimum ten-day public comment period.



Insurance and Liability

In order to operate an outdoor café on the public City sidewalk the café applicant will need to sign a *Hold Harmless and Indemnity Agreement* with the City (copy attached). In addition, the applicant will need to maintain commercial general liability coverage in the amount of \$500,000 and name the City as an additional insured.

Temporary Permit

A sidewalk café permit is temporary, valid for one calendar year, and vests no permanent right. A renewal application will need to be submitted every year after the initial application and accompanied by a renewal fee. The City retains the right to revoke the permit with 30 days' notice, posted on the premises, or without notice, in case the permitted use becomes dangerous or unsafe.



Hold Harmless and Indemnity Agreement

For consideration of permission by the City of Spokane to the undersigned Permittee(s) to operate a sidewalk café at _____ to be open from _____ to _____, (month/year) between the hours of _____ and _____, the undersigned Permittee(s) agree(s) to indemnify and hold harmless the City of Spokane, its officers, agents, and employees, from any and all liability, claims, actions, judgments, damages, or injuries of every kind and nature whatsoever, by or to any and all persons or property which damage or injury arises out of the above described sidewalk café, whether the liability, claims, actions, judgments, damages or injuries are caused by, or arise out of the negligence of the City of Spokane, its officers, agents, and employees.

The Permittee(s) further agree(s) to:

- **Wave all claims** against the City of Spokane, its officers, agents, or employees on account of any loss, damage, or injury from whatever cause which may occur to the Permittee(s) or their property, arising from the sidewalk café
- **Reimburse** the City of Spokane for any damage done to City property as a result of the operation of the sidewalk café.
- **Defend** the City of Spokane, its officers, agents, and employees against any claims or actions brought in connection with the sidewalk café, whether such claims or actions are rightfully or wrongfully brought or filed.

In the event a claim is brought, or an action is filed, the Permittee(s) agree that the City of Spokane may retain attorneys of its own choosing to appear and defend the City, its officers, agents, or employees, and such defense shall be and the expense of the Permittee(s).

Dated this _____ day of _____, _____.

Permittee(s):

Café Name: _____

Café Address: _____

Owner Signature: _____

Mailing Address: _____

City of Spokane

By: _____

Development Service Center

Approved as to Form

City Attorney(s)