



**City of Poulsbo Summer Fair Application**  
**200 NE Moe Street, Poulsbo, WA 98370**  
**(360) 394-9880**

## **A Summer Fair: Poulsbo Washington 2020**

In concert with the Washington State Governors guidance which asked for reduced capacity for retail, restaurant and bar businesses, the city of Poulsbo's Summer Fair program creates a way to address the need to expand business footprints onto public rights-of-way or in privately owned parking lots without meeting certain city code and application requirements. This is a *voluntary program* which eases restrictions on the use of public right of ways.

### **Temporary Outdoor Areas on Private Property:**

Restaurants and retail establishments with access to private sidewalks or private parking may utilize these areas for outdoor dining and retail merchandise display areas, in accordance with the public safety standards outlined within this brochure. **Written consent from the landlord is required.**

### **Temporary Outdoor Areas on Public Property:**

Restaurants and retail establishments with access to public sidewalks or on-street parking may utilize these areas for outdoor dining and retail merchandise display areas, in accordance with the public safety standards outlined within this brochure, including the supplemental standards for business uses in the public right-of-way. Written consent from the landlord is required. Some instances require written approval from the City of Poulsbo, see below.

### **Public Safety Standards**

In the interest of public safety, the following requirements will be applicable to all restaurants and retail businesses in the City of Poulsbo that utilize any City rights-of-way for outdoor seating or display.

Temporary Outdoor Seating and Retail Merchandise Display shall:

1. Any tents over 120 square feet require a Building Permit Application from the City of Poulsbo.
2. Provide five feet clearance for all walkways.
3. No business, dining area, or merchandise display area entrance or exit can be blocked.
4. Not exceed the currently allowed occupancy for the business.
5. Shall be configured and maintained in a way that follows all Social Distancing guidelines as required by Federal, State, County and CDC requirements. Including but not limited to, six-foot separation between patrons, staff to wear masks, and sanitize all seating areas between each use.
6. No parking for disabled persons may be repurposed for restaurant or retail use.

7. Retail establishments shall monitor the outdoor merchandise display areas to limit the number of patrons to not exceed the number of permitted people in one area per the Federal, State, County and CDC requirements.
8. Provide temporary buffers (if proposed in parking areas, parking bays or parking lots) by way of potted plants, traffic cones, or otherwise distinguish between the parking area and temporary outdoor seating or merchandise display. **Please provide a map to Poulsbo city clerks office for review and approval.**
9. No goods for sale nor food related items may be stored or remain outdoors overnight. Tables, chairs, and any other furniture utilized for outdoor dining shall be gathered and secured each night in a manner to prevent their scattering about during any inclement weather and wind overnight and otherwise when not in use.
10. Be directly in front of the tenant space containing the eating or drinking establishment or retail establishment unless the owner of the property agrees in writing to an extension of the outdoor seating area to areas of adjoining tenants. **Please provide a copy of the written approval to the City of Poulsbo clerks department.**
11. If alcoholic beverages will be served outdoors, the business must have proof that the extended outdoor areas are included with their license from the State of Washington.
12. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in the outdoor area at a volume that is any louder than necessary for the convenient hearing of persons within the outdoor area, and that would disturb the peace, quiet, or comfort of adjoining properties.
13. Hours of operation of the outdoor seating area and outdoor merchandise display area shall be the same as those for the eating or drinking establishment or retail store.
14. Maintain a clear distance of at least five feet from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required where necessary to ensure use of the public or emergency access feature. **Please provide a map to the city clerks office of the area intended for use.**
15. Dining or display areas cannot block access for Police and Fire Rescue vehicles.
16. Must be kept clean and all garbage and debris associated with the outdoor use area must be contained to the area and removed for disposal.
17. Any use of City and, private parking areas, public parking areas or public open space for restaurant and retail use pursuant to this program shall comply with all applicable fire, life safety, and ADA requirements. Outdoor activity cannot create a hazardous condition.
18. To utilize this new guidance, please submit a cover letter and copies of all required Documents, including proof of insurance, to the city clerk. These documents will include a map of the area requested, and other documents necessary as described in these listed criteria.



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Please answer all questions completely. Additional pages may be attached. A map must be attached with the application and certificate of insurance.

#### BUSINESS INFORMATION

Name of business: \_\_\_\_\_

Location of business: \_\_\_\_\_

Business owner name: \_\_\_\_\_

Business owner phone number: \_\_\_\_\_ Email: \_\_\_\_\_

State of Washington UBI #: \_\_\_\_\_

#### LOCATION INFORMATION

Location/description of the space to be used:

Is the above location in front of your business: ☐ Yes ☐ No If no, please attach letter of permission from business owner whose space is next to the above-described location.

Date to begin use of space: \_\_\_\_\_

#### SAFETY

Please describe how the space will be used. Attach a map with a diagram of the space, detailing temporary buffers and 5-foot setbacks to alleys, crosswalks, and fire hydrants.

**Insurance Requirements:**

The City of Poulsbo does not maintain insurance that will respond to claims against the applicant arising out of the use of facilities by the applicant, its members, or those attending the event. The applicant must provide an insurance certificate prior to the event in the amount of \$1,000,000 Liability/Property Damage and \$1,000,000 Bodily Injury for the specific event and name the City of Poulsbo as an Additional Named Insured on the policy. Please also include the endorsement that provides coverage of at least as broad as ISO form CG 20 12 (see attached worksheet on page 5).

**Hold Harmless Agreement:**

Applicant/Permittee/User shall defend, indemnify and hold harmless the City of Poulsbo, its agents, employees and officials, while acting within the scope of their duties, from all causes of action, demands and claims, including the costs of their defense, arising in favor of the applicant/organization, the applicant(s)/organization(s) employees or third parties on account of personal injuries, bodily injuries, death, or damage to property arising out of the acts or omissions of the applicant/organization, its employees or representatives, concessionaries of the event or any other person or entity, except for liability caused due to the sole negligence of the City of Poulsbo.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Organization: \_\_\_\_\_ Title: \_\_\_\_\_

To be completed by staff: ☐ Map/diagram included ☐ Certificate of Insurance ☐ Permission letter included (if applicable)

Date received: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Approver: \_\_\_\_\_

# Insurance Worksheet

*This worksheet is meant to accompany the information in the Special Events Permitting Guide, Section A: Insurance. This does not need to be submitted but is a tool to help organizers ensure they meet the MINIMUM insurance requirements, types, and amounts. The requirements for your event may be determined to be higher, depending on the features, at the discretion of the City's Risk Manager.*

**All events are required to have Commercial General Liability insurance with coverage at least as broad as ISO occurrence form CG 00 01, in the following minimum amounts:**

- ☐ \$1 Million Per Occurrence
- ☐ \$2 Million General Aggregate
- ☐ \$1 Million Products – Completed Operations Aggregate
- ☐ Event Name and Event Dates (including set-up and tear-down dates)
- ☐ City of Poulsbo, address: 200 NE Moe St, Poulsbo, WA, 98370
- ☐ City as Additional Insured, with coverage at least as broad as ISO form CG 20 12

[illegible]

### Example: Certificate of Insurance

POLICY NUMBER: [REDACTED]  
Named Insured: [REDACTED]

COMMERCIAL GENERAL LIABILITY  
CG 20 24 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED  
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

**Name Of Additional Insured Person(s) Or Organization(s):**

Any person or organization that you are required to add as an additional insured on this policy, under a written contract or agreement currently in effect, or becoming effective during the term of this policy. The additional insured status will not be afforded with respect to liability arising out of or related to your activities as a real estate manager for that person or organization.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**A. Section II – Who is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

**B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

CG 20 24 04 13 © Insurance Services Office, Inc., 2012 Page 1 of 1

### Example: Endorsement as ISO form CG20 12

# City of Poulsbo

## Engineering Department

200 NE Moe Street, Poulsbo, Washington 98370



## TECHNICAL MEMO

DATE: August 10, 2020

TO: Mayor Becky Ericksen

FROM: City of Poulsbo Engineering Department

**SUBJECT: Summer Fair Minimum Guidelines – Temporary Street Café or Retail**

In support of the COVID 19 Business Recovery Plan and Summer fair concept, the engineering department provides the following supplemental guidelines. The Engineering Department understands that the Mayor and City Council are in support of the Summer Fair concept for businesses within the City of Poulsbo. Council has authorized the mayor to provide administrative approval of the business expansions. As part of this concept and the uncertainty around COVID-19 pandemic and restrictions enacted by the Governor of the State of Washington, reasonable measures, allowances, and flexibility are needed. To that end the City of Poulsbo Engineering Department recommends these additional minimum guidelines for businesses desiring to take advantage of the Summer Fair.

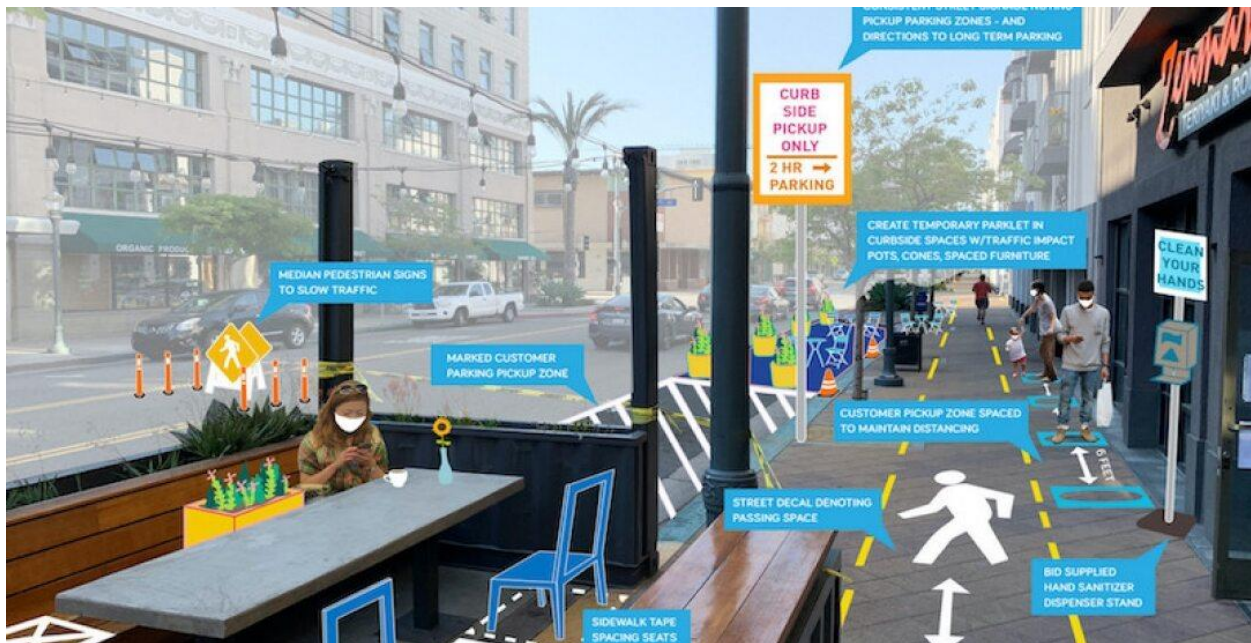
### Minimum Guidelines:

- Conform to the applicable provisions, rules, regulations, and guidance of the Americans with Disabilities Act (ADA)
- Maintain at least 4-ft of clear area on the sidewalk for pedestrians. It is recommended to maintain 6-ft or more where possible to allow for distancing. *(Required to meet ADA requirements)*
- If street level areas (parking stalls) are incorporated for curbside market/merchandise, a ramp no less than 3' wide and no steeper than 8.33% shall be used to allow people to access from the sidewalk to the street level area. The ramp shall also have a slip resistant surface. *(Required to meet ADA requirements)*
- Street Cafes may have interior or exterior ADA seating.
- To separate pedestrian areas from vehicles on Front Street or Jenson, a barrier shall be used. This may include metal/wood fencing, water filled barricades, planters, a 6" curb, or equal measure. A rope shall not be considered a barricade for purposes of protecting pedestrians from vehicles.



- To warn vehicles, the business shall provide reflective posts on all fence corners nearest the traffic lane
- Provide a minimum of 1 foot separation between fence/barrier and lane edge. Lane shall be a minimum of 10 feet (excluding 1 foot separation). The lane edge and 6 inches of white parking stripe and/or fog line shall be visible to the drivers at all times.
- Be easily and quickly removable and cause no permanent damage to the pavement or sidewalk.
- Depending upon exact location, efforts shall be taken so that Summer Fair does not create a sight obstruction, distraction, or other hazard to vehicles. The space shall be available for restaurant and retail services, plants, tables, merchandise only.
- Understand that minor modifications and adjustments may be required to meet future/additional Governors Orders.

The intent behind these minimum requirements are to ensure ADA access, provide flexibility, protect pedestrians, and are understood to be a temporary measure to assist in the economic recovery of businesses important to the City of Poulsbo.



Source: <<https://www.bdcnetwork.com/reopening-main-street-post-covid-19-quarantine>>

**Resources:** SDOT Parklet Handbook:

[http://www.seattle.gov/Documents/Departments/SDOT/PublicSpaceManagement/Parklet\\_Handbook\\_DIN\\_2017.pdf](http://www.seattle.gov/Documents/Departments/SDOT/PublicSpaceManagement/Parklet_Handbook_DIN_2017.pdf)