



City of West Hollywood
California 1984

City of West Hollywood

Department of Public Works Engineering Division

OUTDOOR DINING ENCROACHMENT PERMIT OVERVIEW

Pursuant to Ordinance 91-310, West Hollywood Municipal Code Chapter 11-28, any usage of the public right-of-way for outdoor dining purposes shall only be authorized by the issuance of an Outdoor Dining Encroachment Permit from the Department of Public Works, Engineering Division. Said permits are revocable in nature, and thus are subject to revocation at any time upon determination by the City of West Hollywood Department of Public Works.

To obtain a permit, the applicant shall submit to outdoordiningpermit@weho.org, the following:

1. Completed Outdoor Dining Encroachment Permit Application. The application shall be signed by the applicant and property owner at the time of submittal. Incomplete application will result in rejection of the application package.
2. 8"x11.5" Drawing of the requested outdoor dining usage of the public right-of-way area. Drawing shall be titled "Exhibit C". Drawing shall detail the frontage of the applicant's café or restaurant facing the sidewalk area requested for use as outdoor dining. The drawing shall indicate the location of doorways, width of sidewalk (distance from curb to building face), location of trees, tree wells, parking meters, bus shelters and/or bus stop signage, traffic signals, sidewalk benches, trash receptacles, bike racks, utility boxes, fire hydrants, light fixtures, parking and street signs, and any other semi-permanent sidewalk obstruction which may affect or be affected by the proposal. The drawing shall delineate the area requested for use as an outdoor dining area and indicate the total square footage of the affected public right-of-way area and exact dimensions of the proposed outdoor dining area. The drawing shall indicate all objects proposed to be installed by the applicant, such as tables, chairs, planters, awnings, trellises, signs, railings, barriers, podiums, lighting, umbrellas, etc. The drawing shall indicate via dimensions, that the ADA required 4 foot wide clear pedestrian passageway is provided for the remaining public sidewalk.
3. 8"x11.5" Exhibit prepared by a professional surveyor, licensed in the State of California, documenting the area of encroachment of the public right-of-way. The first page shall be titled "Exhibit A" and shall be the legal description of the area in narrative form. The second page shall be titled "Exhibit B" and shall be the legal description of the area in survey map form. The surveyor shall stamp and sign the documents, and his name, company name, address, and phone number shall be visible.
4. Proof of Zoning approval by the Planning Department. Applicants shall secure the appropriate licenses and permits and permission, as applicable, from the Alcohol Beverage Control Board, Sheriff's Department, Fire Department, and County Health Department, which shall be submitted to the Planning Department and approved by them. Applicant shall also submit the business license.
5. Proof of building permit approval by the Building & Safety Department for any proposed element of the outdoor dining area encroaching into the public right-of-way, that is physically attached to the onsite buildings or structures, such as awnings, trellis, signs, etc. Depending on the proposed element, a separate additional Encroachment Permit & Covenant, issued by the Department of Public Works, documenting the specific element may be required prior to final approval of the Outdoor Dining permit. City staff will notify you upon review of the application package.

6. Certificates of Insurance showing that the applicant has procured and maintained in force policies of comprehensive public liability insurance in a combined single limit amount of at least one million dollars (\$1,000,000.00) covering the applicant's operations on the sidewalk. Such insurance shall be procured from an insurer authorized to do business in California, shall be subject to the approval in writing of the city, shall provide primary and not excessive coverage, shall name the city, its officers and employees, and the property owner as additional insureds and shall contain provisions that prohibit cancellation, modification, or lapse without thirty days' prior written notice to the city. In addition, the applicant shall procure and maintain in force Worker's Compensation insurance with statutory limits, and employer's liability insurance with limits of not less than one million dollars (\$1,000,000.00) per accident.

Next Steps

1. Upon completion of satisfactory review of the Outdoor Dining Encroachment Permit Application package, city staff will send to the applicant an invoice for the Outdoor Dining Encroachment Permit Application Review Fee and the Outdoor Dining Encroachment Permit Issuance Fee.
2. If any portion of the applicant's proposed outdoor dining installation impacts the public right-of-way infrastructure, such as but not limited to, drilling into the sidewalk for mounting or securing purposes, City staff will prepare an Outdoor Dining Encroachment Permit Bond document, to cover the cost to restore the public right-of-way infrastructure upon revocation or withdrawal of the permit. The applicant shall then submit to the city proof of obtaining the surety bond.
3. City staff will prepare an Encroachment Permit & Covenant that will authorize the operation of the outdoor dining area encroaching into the public right-of-way. Applicant shall deliver two original wet ink signed and notarized copies to city staff. Upon recordation at the County of Los Angeles recorder's office, city staff will forward a copy to the applicant for the applicant's files.



CITY OF WEST HOLLYWOOD

OUTDOOR DINING ENCROACHMENT PERMIT APPLICATION

RESTAURANT INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Phone No.: _____ Emergency No. _____

Email Address: _____

Business License #: _____ Expiration Date: _____

APPLICANT INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Phone No.: _____

Email Address: _____

PROPERTY OWNER (Responsible Party)

Name: _____

Address: _____

City/State/Zip: _____

Phone No.: _____ Emergency No. _____

Email Address: _____

PROPERTY OWNER'S DECLARATION

I consent to operation of an outdoor dining facility within the public right-of-way sidewalk frontage of my property.

I shall hold the City of West Hollywood, its officers, agents, and employees 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 appeals therefrom, which may result from granting this permit.

Property Owner Name: _____

Property Owner Signature: _____ Date: _____

Applicants Name: _____

Applicant's Signature: _____ Date: _____



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OUTDOOR DINING ENCROACHMENT PERMIT APPLICATION CHECKLIST

- Completed Outdoor Dining Encroachment Permit Application
- 8"x11.5" Exhibit C Site Drawing
- 8"x11.5" Exhibit A & B Legal Description & Map
- Proof of Zoning Approval from Planning Department
- Copy of Business License
- Proof of Building Permit Approval from Building & Safety Department (as applicable)
- Certificate of Insurance

Failure to submit all required documents, and fully complete documents, will result in the rejection of the application as non-compliant.

Contact outdoordiningpermit@weho.org for any questions.