



**RIGHT OF WAY ACTIVITY APPLICATION FOR
OUTDOOR PATIOS ON MUNICIPAL PROPERTY IN THE CITY CENTRE**

- Note: 1. Please ensure all information is included in the application.
2. Incomplete applications will not be accepted.

<u>APPLICANT INFORMATION (business)</u>		Application Date:
Applicant Name:		Phone Number:
E-Mail:		
Registered Name of Business:		
Operating Name of Business:		
Street Address:		
City:	Postal Code:	
After Hour Contact 1:		
Name:		Phone Number:
After Hour Contact 2:		
Name:		Phone Number:
<u>APPLICANT'S (contractor)</u>		
Contractor Name:		Phone number:
Business Address:		
City:	Postal Code:	
Date of Installation (Start Date) Subject to Approval from City of Barrie upon completion of annual spring maintenance (street sweeping, catch basin cleanout, etc.)		Date of Removal (Deadline) October 15th
<u>ACTIVITY INFORMATION</u>		
Occupancy Type:	Temporary Sidewalk Patio	
<u>Required Detail:</u>		
Width of sidewalk occupied:		
Length of sidewalk occupied:		
Number of parking spaces required:		
Number of parking meters blocked:		
Does the Patio and Temporary Sidewalk maintain a 2.4m pedestrian sidewalk?		
	Yes	No
CONDITIONS		
I/We hereby make application to The Corporation of the City of Barrie (The "Corporation") to occupy the right of way for the purpose described and agreed to abide by the terms of By-Law 2012-173 (as amended) and the conditions established on the permit. I/We agree to assume all liability and/or cost incurred by the Corporation as a result of road occupancy to maintain the work area and to indemnify and save harmless the Corporation until final completion and approval.		

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GENERAL CONDITIONS

1. Any person or persons intending to occupy or perform work on City of Barrie property, must first apply to the Engineering Services Coordinator or designate for a Right of Way Activity Permit. This approval must be obtained prior to the commencement of work.
2. The completed permit application must be received, for processing, by the Engineering Services Coordinator or designate no later than **5 (five) working days** prior to the beginning of the activity. The applicant must also abide by all other time restrictions as outlined in by-law 2012-173 (as amended).
3. The applicant, pursuant to the By-Law shall have the permit available at the times during which work is in progress.
4. The permit becomes null and void if the applicant should fail to meet the requirements of the permit, in which case, the Director of Engineering or his/her designate shall take action they deem necessary to reinstate the site for public protection at the expense of the applicant. In all cases the decision of the Director of Engineering is final.
5. It shall be the applicant's responsibility to request marking or other location information to determine the location and provide safeguards for all utilities, both public and private, in accordance with current regulations.
6. All damaged, disruption or removal of existing works such as curb, sidewalk etc. as described in the permit, and damages related to the work activity shall be reinstated by the applicant to current City of Barrie Standards.
7. By-Law 2012-173 (as amended), available on City of Barrie website, was reviewed by the applicant.
8. The Applicant shall be responsible for attaining any and all other permissions and permits necessary to perform the permitted work, including those from all applicable federal, provincial, and local government or agencies.

RESTAURANT/RESTAURANT TAVERN – OUTDOOR PATIO EXTENSION – MUNICIPAL PROPERTY (Bylaw 2006-266)

Authority: Municipal Act, S.O. 2001, c. 25

OPERATING CRITERIA

1. No person shall operate or maintain an outdoor patio extension to a restaurant or restaurant/tavern on municipal property without first having obtained a license to do so.
2. The applicant shall provide to the Issuer of License's at the time of application, proof of liability insurance in the minimum amount of **\$2,000,000** per occurrence with an aggregate limit of no less than **\$5,000,000** to the Corporation of the City of Barrie against any liability for property damage or personal injury, negligence including death which may arise from the applicants operations under this agreement. The Corporation of the City of Barrie must be included as an "Additional Named Insured".
3. No person shall operate or maintain an outdoor patio extension to a restaurant or restaurant/tavern on municipal property without the expression permission of the City and proof of such permission shall be provided by the applicant to the Issuer of License's at the time of application.
4. The applicant shall provide to the Issuer of License's at the time of application, or as otherwise requested, a Certificate of Inspection from the Simcoe Muskoka District Health Unit.
5. Where the applicant proposes to sell or offer for sale alcoholic beverages from the outdoor patio extension, the applicant shall provide to the Issuer of License's at the time of application, a copy of the Liquor License issued to the applicant by the Alcohol and Gaming Commission.
6. No person shall be eligible to obtain an Outdoor Patio Extension on municipal property unless the Restaurant or Restaurant/Tavern such patio is operated in conjunction with is licensed under the provisions of this by-law.
7. The licensee shall comply with all conditions as set out for the operation of a Restaurant or Restaurant/Tavern as set out in this by-law.
8. No person shall permit or allow any sound contrary to the provisions of the noise control by-law for the City.
9. No person shall operate an outdoor patio on any municipal property other than that for which permission has been granted.
10. No person shall operate any amusement device or game within any outdoor patio area.
11. No person shall permit the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor License Act to permit the consumption of alcoholic beverages and unless such outdoor patio extension is operated in conjunction with a Restaurant/Tavern holding a valid Liquor License and license as required under the provisions of this by-law.
12. Where such premise is licensed to permit the consumption of alcoholic beverages, no person shall serve or allow the consumption of alcoholic beverages contrary to any law.
13. No person shall allow any person to enter or re-enter the outdoor patio area after 10:30 p.m. and shall ensure that no person is permitted to be in or remain in the outdoor patio area after 11:15 p.m. (02-G-614)
14. No person shall provide or allow any entertainment in the Outdoor Patio area licensed or required to be licensed under this section after 11:00 p.m.
15. The applicant shall provide to the issuer of License's at the time of application, a completed City of Barrie liquor license application questionnaire.
16. The applicant hereby certifies that the at-grade Patio or Sidewalk by-pass walkway is to be constructed in accordance with the standard drawings, approved by the Barrie Business Improvement Area, provided in the sidewalk patio package, engineering drawings S-1, S-2 and S-3, prepared by CC Tatham and Associates, June 2011.

AGREEMENT

I, THE UNDERSIGNED HAVE READ AND UNDERSTOOD THE INFORMATION PROVIDED AND AGREE TO ABIDE BY ALL GENERAL CONDITIONS, SPECIAL PROVISIONS AND ALL CONDITIONS LISTED ON TH IS PERMIT APPLICATION, AND PERMIT /IF ISSUED.

Authorized Representative	<i>Signature</i>	<i>Date</i>
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