

## Downtown Sidewalk Limited Use Agreement Application

Applicant's Name: \_\_\_\_\_

Applicant is (check one):    Property Owner    First Floor Tenant    Other \_\_\_\_\_

*Note: If applicant is someone other than property owner, owner's signature is required below.*

Business Name and Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

Describe your intended use of sidewalk use area: \_\_\_\_\_

\_\_\_\_\_

If you will serve food, liquor or beer within the sidewalk use area, please provide the following information:

Current Food Service Permit Number: \_\_\_\_\_

Current Liquor License Number: \_\_\_\_\_

Current Beer Permit Number: \_\_\_\_\_

Have you ever had a license and/or permit revoked or suspended?

NO      YES. IF YES, ATTACH EXPLANATION.

Has your business been cited for any violations of municipal code or health code within the last 12 months preceding the date of the application?

NO      YES. IF YES, ATTACH EXPLANATION.

By signing this application, I am indicating that I understand and agree to follow the rules and regulations of the Sidewalk Limited Use Agreement program.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Name (if different than applicant): \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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### For City Use Only (Print Name and Sign)

Approved By: _____	Policy Development
Approved By: _____	Building Codes
Approved By: _____	Fire Inspections
Approved By: _____	Engineering
Approved By: _____	Law

## **Required Attachments For All Sidewalk Limited Use Agreement Applications:**

**Please check boxes and submit this page and all attachments with your application.**

**Property Map and Details Report from KGIS.** Search by address, parcel number or owner's name at <http://www.kgis.org>.

**Site Plan for Proposed Sidewalk Use (see attached sample).** The limited use area may be a rectangular area directly contiguous to the exterior of the subject storefront. The area may not extend into a designated fire lane and must not reduce the clear pedestrian path on a public sidewalk to less than five (5) feet. Likewise, a five (5) foot path for ingress and egress must be maintained at all times. On Market Square, the sidewalk use area may extend a maximum of ten (10) feet from the building. The site plan will be reviewed by the City's Engineering, Building Inspections and Fire Departments and must meet all applicable city codes.

**Certificate of Commercial General Liability Insurance** for injuries to persons or damages to property which may arise from or in connection with this Agreement. The insurance must have a limit of not less than \$1 million for each occurrence of bodily injury or property damage. It must contain a provision that names the City, its officials, officers, employees, and volunteers as additional insureds. For any claims related to this Agreement, the applicant's insurance will be primary insurance as respects the City.

**Check for \$15.00, made out to the City of Knoxville.** This covers your right-of-way permit.

### **Please Check Applicable Boxes Below:**

**I am an existing agreement holder, and my location has an awning or canopy.**

**I plan to install an awning or canopy.** Contact Tom Reynolds at 215-4282, [treynolds@cityofknoxville.org](mailto:treynolds@cityofknoxville.org), to discuss building permit requirements and fees. You may not begin installation until you have obtained a building permit.

**My business is located in a designated Historic District (includes Market Square).** If you plan to install an awning or canopy, you must also have your design approved by the Historic Zoning Commission. Contact Ann Bennett at 215-3795, [ann.bennett@knoxmpc.org](mailto:ann.bennett@knoxmpc.org), to discuss the design review process. There will be an additional \$70 processing fee assessed by the HZC.

**I wish for my patio area to extend laterally beyond my building, to the sidewalk use area in front of an adjacent building.** You must attach a letter from the property owner of the adjacent building explicitly granting you permission to enter into a sidewalk limited use agreement with the City of Knoxville for use of said area. The letter should contain the address of the adjacent property as well as the owner's name and signature.

## **Application Procedure:**

Please send or drop off two (2) copies of the application forms and attachments, along with a check for \$15.00 made out to the City of Knoxville to:

Rick Emmett Downtown Coordinator  
City County Building  
400 Main Street - Rm. 470B  
Knoxville, TN 37902

The City will review your application, and someone may call you with additional information requests. If approved, we will send you a Sidewalk Limited Use Agreement and a Right-of-Way Permit for your review and signature. You will send the signed documents back to Rick Emmett at the above address. We will make every effort to process your application as quickly as possible.

## **Renewal Procedure:**

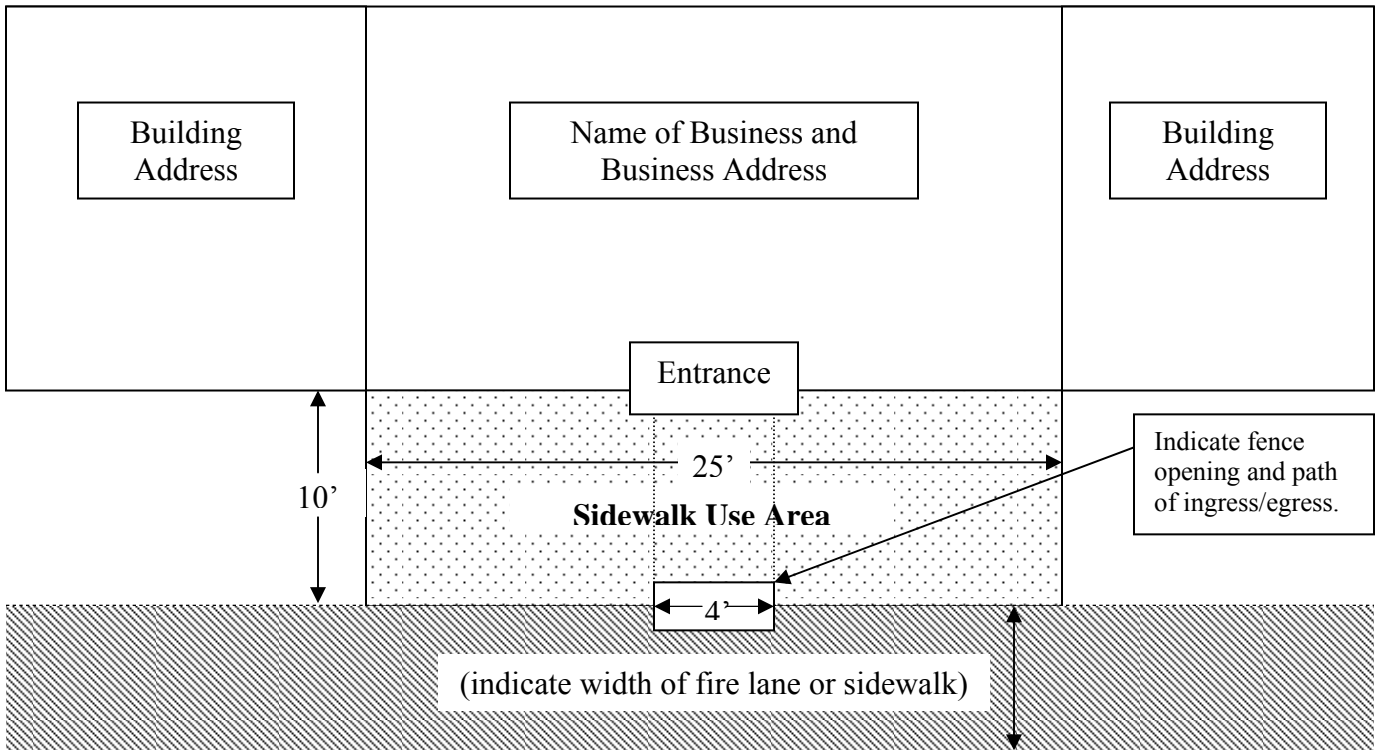
Send a letter requesting a renewal, noting any changes, and a current certificate of liability insurance to Rick Emmett (address above).

## **Questions?**

General Questions – Rick Emmett, 215-3837, [remmett@cityofknoxville.org](mailto:remmett@cityofknoxville.org)  
Building Permits – Tom Reynolds, 215-4282, [treynolds@cityofknoxville.org](mailto:treynolds@cityofknoxville.org)  
Fire Marshall – Roger Byrd, 215-2851, [rbyrd@cityofknoxville.org](mailto:rbyrd@cityofknoxville.org)  
Historic Zoning Commission – Ann Bennett, 215-3795, [ann.bennett@knoxmpc.org](mailto:ann.bennett@knoxmpc.org)  
Engineering – Mark Johnson, 215-2608, [mjohnson@cityofknoxville.org](mailto:mjohnson@cityofknoxville.org)

# Sample Site Plan

Names of Applicant  
Name of Business  
Address of Business



## **Sidewalk Limited Use Agreement Rules & Regulations**

1. A sidewalk limited use agreement is valid from the date of issuance for two (2) years and is renewable in two (2) year increments. To renew the agreement, you will need to submit a request for renewal to the City's Law Department with a current Certificate of Commercial Liability Insurance naming the City of Knoxville as an additional insured party.
2. It is the Permittee's responsibility to ensure that the business's commercial liability insurance does not expire, and that the City Law Department receives documentation when insurance policies are renewed or changed.
3. All employees of businesses utilizing the sidewalk use area shall be subject to and comply with all applicable requirements and standards for a retail establishment. Owners, employees and patrons must wear shoes and shirts at all times.
4. All sidewalk uses must adhere to the size, design, layout, and any other specifications approved by the City at all times. Strict adherence to required standards as set forth herein is mandatory.
5. All areas within and surrounding the sidewalk use area must be maintained in a clean, neat and sanitary condition.
6. A Permittee may not charge or assess any fees to its patrons for use or access to the sidewalk use area. Costs for patrons who use the sidewalk use area may not exceed costs for patrons who do not use the limited use area.
7. Service of alcoholic beverages within the sidewalk use area must comply with applicable provisions of Knoxville City Code.
8. Amplified music, whether live or recorded, shall be strictly prohibited on all sidewalk use areas. No speakers, televisions, or other audio or video devices shall be permitted.

9. The following are strictly prohibited in or on the sidewalk use area.
  - a. The cooking or preparation of any food.\*
  - b. The storage of any food, beer and alcoholic or non-alcoholic beverage containers, including but not limited to vending machines, carts, cartons, kegs, boxes, bottles, or other such containers.
  - c. The placement or drilling of any stakes, rods, support poles, or holes for whatever purpose.
  - d. The placement of any permanent fixtures.
  - e. The lighting of fires.
  - f. Propane or natural gas-powered heaters.
  - g. Anything else that could cause physical or structural damage to the sidewalk use area, or cause unreasonable disturbance to the neighborhood, as determined by the City.
  
10. All sidewalk use areas shall be accessible to disabled patrons and employees and patio elements may not obstruct doorways or otherwise impinge on building ingress or egress as defined by the current building code.
  
11. If the subject property is located within the D-1 Downtown Design Review Overlay District, the applicant may be asked to submit sketches or photographs of design elements for review by the Design Review Board or its administrative staff.
  
12. City code enforcement officers will inspect all sidewalk use areas after the use agreement has been issued and the patio is in operation. Any violations of these rules and regulations, or any deviation from approved plans or willful omissions of the application will result in revocation of the sidewalk use agreement.
  
13. The City of Knoxville reserves the right to amend these rules and regulations at any time.
  
14. The City of Knoxville may terminate a sidewalk limited use agreement at any time, with or without cause, by written notice of termination to the Permittee.

\* Please note – If you would like to learn more about the process for becoming a special events vendor, please contact Judith Foltz at 215-2024.