City of Exeter

Sidewalk Sales Permit Application

Exeter Municipal Code Chapter 5.40 | No Permit Fee

A permit is required before placing merchandise, display racks, containers, or other merchandise-display objects on or above a public sidewalk. Submit this application to the City Clerk for review before setting up a display. You may submit the application in person at 100 N. C St. Exeter CA 93221 or via email to fquintana@exetercityhall.com.

1. Applicant / Business Information:

Business name: _____

Applicant/responsible person: _____

Business address: _____

Mailing address (if different): _____

Phone: _____

Email: _____

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2. Proposed Sidewalk Display:

Street address/exact location of display: _____

Merchandise or items to be displayed: _____

Display equipment (i.e. racks, tables): _____

Approximate display length × width × height: _____

Proposed days and hours of display: _____

Will any item extend above the sidewalk? ☐Yes ☐No

Will any item be secured/anchored? ☐Yes ☐No

Describe how the display will remain stable and how the sidewalk will be kept free of dirt, water, oil, or other materials: _____

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3. Site Sketch/Attachment:

Attach a simple sketch or marked photo showing the storefront, curb, building entrances, proposed display footprint, and the remaining clear pedestrian path (including its narrowest width). The proposed display must be located directly in front of the applicant's own business and maintain a minimum unobstructed pedestrian access route of 48 inches (4 feet), or greater where required by applicable accessibility standards.

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4. Applicant Certification:

By signing, I certify that the information provided is accurate and acknowledge that:

- ☐ A permit must be issued before the proposed display is placed on or above the public sidewalk (EMC § 5.40.010).
- ☐ The display must comply with applicable Americans with Disabilities Act (ADA) accessibility requirements and maintain a continuous, unobstructed accessible pedestrian route at all times. Merchandise, racks, signs, and other objects must not block accessible paths, curb ramps, entrances, or access to pedestrian facilities. The City may require relocation or removal of any noncompliant display.
- ☐ Sidewalk sales and merchandise displays are permitted only within the public sidewalk area directly in front of the applicant's own business. Displays shall not extend beyond the boundaries of the applicant's business frontage or onto the sidewalk in front of neighboring businesses or properties.
- ☐ No dirt, water, oil, or other material may fall or drip from the merchandise or display equipment onto the sidewalk (EMC § 5.40.020).
- ☐ The City may suspend or revoke the permit if the display unduly interferes with pedestrian traffic or deposits materials onto the sidewalk (EMC § 5.40.030).
- ☐ The permit term is governed by EMC § 5.40.040. A new application will be required when the permit expires, or the approved display materially changes.
- ☐ Applicant shall indemnify, defend, and hold harmless City, its officials, officers, employees, agents, representatives, and volunteers from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney’s fees, arising out of or resulting from the Applicant’s performance or non-performance under the permit. The foregoing obligation of Applicant shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises from the sole negligence or willful or active misconduct of the City, its officials, officers, employees, agents, representatives, and volunteers; and (2) the actions of Applicant or

its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law.

☐ Applicant shall procure and maintain for the duration of the permit commercial general liability insurance with coverage at least as broad as Insurance Services Office (ISO) form CG 00 01, in an amount not less than $1,000,000 per occurrence and $2,000,000 general aggregate. The policy(s) shall be endorsed to name the City, its officers, officials, employees, agents, and volunteers as additional insureds on ISO form CG 20 10 or CG 20 26 (or equivalent). The policy shall provide that the Applicant's coverage is primary, not seek contribution from the City's coverage, and Applicant and its insurer shall waive all rights of subrogation against the City. Applicant shall provide a certificate of insurance and additional insured endorsement to City prior to permit approval by City.

☐ This permit does not authorize obstruction of accessible routes or waive any other applicable legal requirements or approvals.

Applicant signature: _____ Date: _____

City Use Only:

Date received: _____

Reviewed by: _____

Review findings:
- ☐Minimum Required ADA pedestrian clearance maintained
- ☐Display located entirely within the applicants business frontage
- ☐Display will not deposit material onto sidewalk

Disposition:
- ☐Approved
- ☐Approved with conditions
- ☐Denied
- ☐Additional information needed

Conditions/required changes: _____

Permit effective Date: _____

Permit Expiration Date: _____

Note: EMC § 5.40.040 provides that permits run January 1–December 31 and a permit issued during the year is valid until the "following December 31st."

CITY OF EXETER MUNICIPAL CODE
CHAPTER 5.40. - SIDEWALK SALES

Sections:

5.40.010 - Permit—Required.

No person, association, corporation, or employee or agent thereof shall place on a public sidewalk, or above a public sidewalk, any merchandise or containers or racks or other objects used in the display of merchandise without first obtaining a permit therefor from the city clerk of the city.

(Ord. 386 §1, 1978)

5.40.020 - Permit—Granting.

The permit may be granted by the city after:

A. An investigation shows that the display does not seriously interfere with pedestrian traffic;

B. An investigation satisfies the city that no dirt, water, oil, or other material will fall from or drip from the merchandise or containers or racks or other objects used in the display of the merchandise onto the sidewalk.

(Ord. 386 §2, 1978)

5.40.030 - Permit—Revocation or suspension.

The city may suspend or revoke the permit in the event that such display proves to unduly interfere with pedestrian traffic on the sidewalk, or results in dirt, water, or other material falling onto the sidewalk.

(Ord. 386 §3, 1978)

5.40.040 - Permit—Term.

Each permit shall be valid for one year, from January 1 to December 31st. In the event that a permit is issued during the year, it shall be valid until the following December 31st.

(Ord. 386 §4, 1978)

5.40.050 - Violation—Penalty.

Every person, association, or corporation who violates any of the provisions of this chapter is guilty of an infraction. Upon conviction thereof he shall be punishable by a fine not to exceed

fifty dollars. Each separate day or any portion thereof during which any violation of this chapter occurs or continues, constitutes a separate offense and upon conviction thereof shall be punishable as provided in this section.

(Ord. 386 §5, 1978)