



**CITY OF OURAY**  
**Community Development**  
 320 6<sup>th</sup> Avenue  
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 Ouray, Colorado 81427  
 970.325.7211  
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 www.cityofouray.com

FOR STAFF USE ONLY	
Permit Number:	_____
Receipt Number:	_____

# TEMPORARY ENCROACHMENT APPLICATION AND PERMIT

## APPLICANT/PERMITEE INFORMATION

_____ Name	_____ Business Name, if applicable
_____ Mailing Address	_____ Physical Address of Encroachment
_____ City, State and Zip Code	_____ Phone
	_____ E-mail

<input type="checkbox"/> Outdoor Display of Merchandise on Public Property: Fee: \$100/12 days in a calendar year
<input type="checkbox"/> Outdoor seating (tables and chairs) on Public Property: Fee: \$150/calendar year
<input type="checkbox"/> Other: _____

Attach a certificate of insurance providing the following (OLUC §13-3-H-3): <ul style="list-style-type: none"> <li>Liability insurance with minimum limits of \$150,000 for any one person and \$600,000 for any one accident</li> <li>Public property damage insurance with a minimum limit of \$100,000</li> <li>The City, its officers, agents and employees named as additional insured</li> </ul>
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Description of Property to be Encroached Upon: _____ _____
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Description of Encroachment (State dimensions and location of encroaching items and dates of use): _____ _____
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Adjoining Property Owner permission if applicable:	
_____ Name of Adjoining Property Owner	_____ Signature of Adjoining Property Owner

_____ Applicant Signature	_____ Date
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**PERMIT**

The City issues a Temporary Encroachment Permit No. \_\_\_\_\_ to

\_\_\_\_\_ for the temporary encroachment described in the accompanying Application and subject to the following conditions:

- 1. The undersigned Applicant/Permitee agrees:
  - a. To defend, indemnify and hold harmless the City of Ouray, its officers, agents and employees on account of any claim made or adjudged against the City of Ouray, its officers, agents and employees arising out of this Permit and to waive and release the City, its officers, agents and employees on account of any claim for damages to Applicants person, employees, contractors, or property involved in the exercise of rights and privileges by this Permit;
  - b. To maintain all Applicant's property involved in this encroachment in good and safe condition to create no safety hazards or unreasonable obstruction to pedestrian or vehicular traffic and to create no nuisance and to reimburse the City on account of any damages to any City owned property.
  - c. To remove the encroachment prior to snow accumulation, so as not to impede snow removal efforts. Permits expire at the end of each calendar year.
  - d. To maintain the required insurance during the period of this Permit;
  - e. Any temporary encroachment, except as otherwise provided, must allow a minimum of six (6) consecutive feet of convenient unobstructed passage are for pedestrians.
  - f. To comply with Section 13-3-H of the City Code;
  - g. To comply with all other City regulations and ordinances; and
  - h. To reimburse the City for any damages to any City owned property
  - i. Additional conditions: \_\_\_\_\_  
\_\_\_\_\_

<b>Approved by the City of Ouray:</b>	
_____ Signature of City Staff	_____ Date of Approval
By signing this permit, the Applicant/Permitee agrees to comply with all the conditions or this permit and all other City regulation and ordinances and represents that all information in its Application is true and correct:	
_____ Signature of Applicant/Permitee	_____ Date of Signature

## **TEMPORARY ENCROACHMENT PROVISIONS**

**Temporary encroachment regulations may be found in City Code Section 13-3-H. The following provisions are specific to outdoor displays of merchandise and tables and chairs.**

### **Outdoor Displays of Merchandise:**

- The merchandise may not be stacked or stored, but displayed for sale.
- The area permitted does not exceed the aggregate area of the footprints of the buildings on the premises.
- The displays may be only on the public property adjacent to the business whose merchandise is displayed.
- The displays may only be located in the C-1 or C-2 Zoning Districts.
- Permits may not be issued for more than 12 days in a calendar year. The specific 12 days shall be detailed on the permit. The permittee may change the designated days on the permit by providing notice to the City.

### **Tables and Chairs in the Public Right of Way:**

- The tables and chairs must be related to the adjacent business that serves food and the permit shall be limited to public property immediately adjacent to the building.
- No service may be provided at table and chairs and no alcohol may be sold, served, or consumed at table and chairs within the public right of way. The use of the table and chairs may not be limited to customers of the business and shall be available for use by all members of the public.
- Tables must be metal or other substantial, heavy material and umbrellas are to be weighted and at least six feet, five inches high when opened.
- Permits shall only be valid for the calendar year during which they are granted.