



Municipality of Jasper
Commercial Use of Public Space Bylaw #193
Sidewalk Seating Application

Business Name: _____

Business Street Address: _____

Legal Description: Lot(s)/Unit: _____ Block: _____

Name of Lessee to Parks Canada*: _____

Mailing Address: _____

City/Province: _____ Postal Code: _____

Tel. No.: _____ Cell No.: _____ Fax No.: _____ Email: _____

Name of Applicant/Agent (person or business that is applying for permit):

Mailing Address: _____

City/Province: _____ Postal Code: _____

Tel. No.: _____ Cell No.: _____ Fax No.: _____ Email: _____

Site Data

Width of sidewalk seating area	m	Length of sidewalk seating area	m
Width of existing sidewalk (from property line)	m	Total number of tables:	
Width of clear sidewalk remaining beside proposed seating area (must be minimum of 1.8 meters):	m	Total number of sidewalk area seats**:	

Please attach the following to the application:

- Letter of consent from lessee (if different from applicant).
- Dimensioned site plan of sidewalk seating/café area to scale including adjacent line of building face and adjacent line of curb or street/lane (*see last two pages in this package for examples*).
- Drawings or specifications showing proposed street furniture including finishes and colours.
- Drawings or specifications showing proposed signage, lighting and heating devices (if applicable).
- Drawings or specifications showing proposed railings, fencing or barriers including location, height, width, materials, colours and method of securing to ground (if applicable).
- Drawings or specifications showing proposed umbrella design specifications including colour, material and location (if applicable).
- Photographs of proposed sidewalk seating location.

***Lessee to Parks Canada** is person or company named on head lease of building to Parks Canada

****Total Number of Outdoor Seats** required for fee payment (may be listed on Liquor Licence or counted at site)



Sidewalk Seating/Café Agreement: The applicant agrees and submits to the following:

1. Liability and Indemnity

To indemnify and save harmless the Municipality of Jasper and Her Majesty the Queen in Right of Canada (Parks Canada) and their officials, officers, employees, servants and agents as additional insured from all costs, losses, damages, compensation and expenses (including Counsel fees) of any nature whatsoever suffered or incurred by the Town and sustained or caused by my occupation or possession of the Premises, and from all claims, demands, suits and judgements against the Town and its officials, officers, employees, servants and agents, or either of them, on account of or in respect of the Premises or of the occupation or possession or use thereof by me or my servants, agents, contractors, licensees. I will comply with all Municipality of Jasper Guidelines, Laws and Bylaws now in force or which may hereafter come into force in the Jasper.

2. Insurance

The Licensee shall, without limiting its obligations or liabilities herein and at its own expense, provide and maintain insurance with insurers licensed in the Province of Alberta and in forms and amounts acceptable to the Municipality of Jasper as per the Seating Application Criteria.

3. Responsibility

(a) I agree to produce the permit for inspection when so requested by any Municipality of Jasper Bylaw Services Officer or their designate.

(b) I agree to be solely responsible for the adherence by all persons connected with this business to the permit requirements. I will comply with all Municipality of Jasper Guidelines, Laws and Bylaws now in force or which may hereafter come into force in the Municipality of Jasper.

(c) By signing below I am verifying the accuracy of the above information and I understand that the Sidewalk Seating Permit is the property of the Municipality of Jasper, is non-transferable and that the Manager of Bylaw Services or their designate may revoke or suspend the permit if the permit area is required for any street works, utility installation or special event or if any terms and conditions of the permit are not adhered to.

(d) I hereby submit this application on behalf of my business for a Sidewalk Seating/Café Permit from the Municipality of Jasper. If granted I will comply with each and every obligation contained in the Sidewalk Seating Application Criteria, laws, bylaws and guidelines now in force or which may come into force in the Municipality of Jasper. This Permit is the property of the Municipality of Jasper and must be surrendered immediately upon request from the Municipality of Jasper Bylaw Services Officer or their designate.

(e) Every **sidewalk seating area shall be temporary in nature** and designed so that the entire structure and its appurtenances including but not limited to chairs, tables, fencing, bollards and planters can be easily removed during periods of non use. **No permanent fixing of fencing or tables to the sidewalk is permitted.** The Municipality of Jasper reserves the right to request the user to remove the sidewalk seating area within 24 hours if required.

(f) The seating area and furniture must be kept clear of snow and ice, and free of litter and debris that is swept and disposed of in a garbage receptacle, not swept onto street.

(g) **1.8 meters of bypass sidewalk must be maintained free of any obstruction. No sandwich boards are permitted in the 1.8 meter bypass.** No other temporary obstructions are permitted in the 1.8 meter bypass area.

3. Fees

(a) Fees must be paid as set out in Schedule A of the Municipality of Jasper Commercial Use of Public Space bylaw #193

Fees: \$100.00 fee, plus \$25.00 per seat.

Number of outdoor seats: _____ X \$25.00 = \$ _____ + \$100.00 = \$ _____ Total.



Lessee to Parks Canada Agreement

As of the date of this application, I am the Lessee to Parks Canada of the lands described in the application. I have examined the contents of the application and the **Sidewalk Seating Application Criteria**, certify that the information submitted with it is correct insofar as I have knowledge of these facts, and concur with the submission of the application. I acknowledge that the lands described in the application may be subject to applicable laws, regulations, and guidelines including, but not limited to, the Municipality of Jasper Bylaws, the Jasper National Park Management Plan, and the Canadian Environmental Assessment Act. I agree to comply with all provisions of the Municipality of Jasper Bylaws and any other applicable legislation, if this application is approved.

Signature of Lessee to Parks Canada
*(may be signed by agent if letter of authority
provided by the Lessee to Parks Canada)*

Date

Declaration

I, _____, solemnly declare that the statements made by me upon this application are to the best of my belief and knowledge a true and complete representation of the purpose and intent of this application.

Signature of applicant or agent

Date



Sidewalk Seating Application Criteria

Location:

- Each approved sidewalk seating/cafe area shall directly in front of the applicants business, and not in front of neighboring businesses.
- Each approved sidewalk seating/cafe area shall leave a **minimum of 1.8m unobstructed sidewalk** bypass for pedestrians, or more in areas of high pedestrian volumes at the discretion of the Municipality of Jasper. No temporary obstructions are permitted in the 1.8m bypass area.
- Each approved sidewalk patio shall maintain access to Fire Department connections, public utilities, and exits from adjacent buildings.

Furniture Specifications:

- **Horizontal Clearance:** No furniture or barrier item may extend beyond the permit area into the 1.8m unobstructed sidewalk bypass area.
- **Vertical Clearance:** Any umbrella must be above 2 meters to avoid pedestrian injury due to activity near outdoor spaces, and not extend into the pedestrian area outside the permit area
- All furniture items, including umbrellas, are subject to approval by the Municipality of Jasper.
- Outdoor furniture should make a positive contribution to the street environment. A furniture style that is practical and elegant and integrates well with the surrounding environment is encouraged. Favorable consideration may also be given to well designed, creative, and individual alternatives
- The furniture should be strong, durable, waterproof and weather resistant, designed for commercial outdoor use.
- Furniture that is constructed solely of plastic is unacceptable.
- Tables and chairs must be of an outdoor style. Indoor-style furniture is considered to be inappropriate for use in sidewalk seating/cafe areas.
- Tables and chairs should be portable yet sturdy and windproof.
- The permit holder is responsible for ensuring that all furniture remains within the approved sidewalk seating area and that pedestrian clearances and safety requirements are maintained at all times. No fixed tables or chairs may be used.

General:

- Sidewalk seating should enrich the pedestrian experience and public life of the street. It is therefore important that it presents an open, inviting image and area easily accessible from the public right of way. Any type of enclosure, including barriers or screens will be appropriate only where sufficient space permits. Barriers must not become a physical and/or psychological obstruction within the public domain. They must not have a detrimental impact on the use, enjoyment and safety of pedestrians and patrons.
- No portion of a sidewalk seating/cafe area may be used for any purpose other than seating, dining or circulation.
- No portion of a sidewalk seating/cafe area may be used for the storage and sale of merchandise.
- The permit holder shall bear all financial responsibility for any and all improvements necessary to the public space, both within and surrounding the sidewalk seating area. At no time and for no reason shall public funds be expended for improvements designated to benefit the permit holder.
- The Municipality of Jasper and public utility agencies retain the right of entry to the approved sidewalk seating area.
- Right of entry for emergency vehicle access must be provided.
- The principal establishment for each approved sidewalk seating area shall have a valid Municipality of Jasper Business License.
- The permit holder must uphold the cleanliness of the sidewalk seating area by ensuring that tables and chairs are kept clean and that litter is removed from in and around the seating area and disposed of properly.
- The permit holder must maintain a high standard of presentation for all sidewalk furniture and



fittings by ensuring that furniture, barriers and or planters are clean, in good order and well presented.

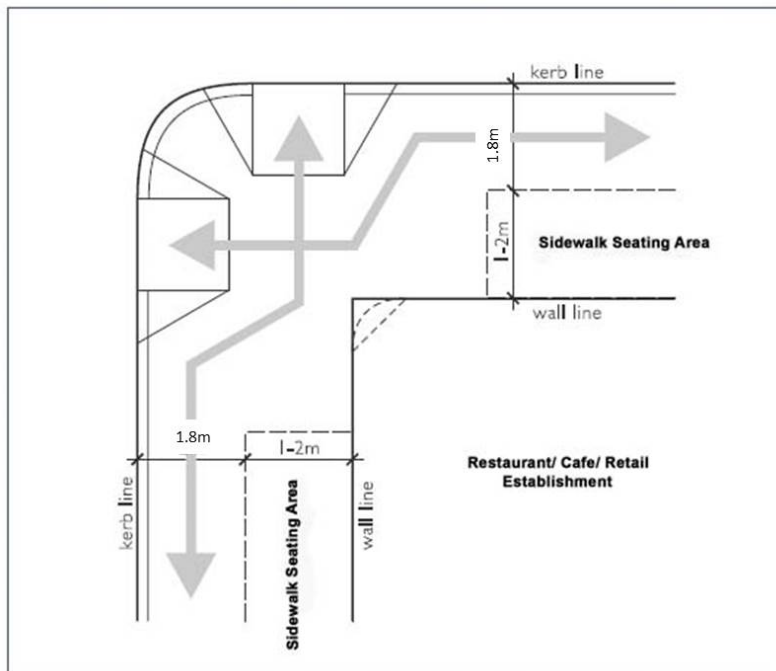
- All litter must be swept, collected and disposed of in an approved litter receptacle.
- Sidewalk seating debris must not be swept or allowed to enter gutters, parking or traffic lanes, storm-water catch-basins or pedestrian walkways.
- The permit holder is required to hold valid comprehensive general liability insurance to the satisfaction of the Municipality of Jasper.
- The Applicant must ensure that the total seating of their business for both inside and the outside seating area do not exceed the maximum seating capacity as designated by fire code, liquor licensing and any other provincial or federal requirement. This permit does not authorize the Applicant to exceed any other licensing or regulated seating number restriction.

Alcohol:

- Sidewalk seating permits issued by the Municipality of Jasper authorize only the consumption of food within the sidewalk seating area and not liquor. Supply and consumption of liquor within the sidewalk seating areas requires a licence from the Alberta Gaming and Liquor Commission and has met their licence requirements.

Reinstatement of a Public Place:

- Every sidewalk seating area shall be temporary in nature and designed so that the entire structure and its appurtenances including but not limited to chairs, tables, fencing, bollards and planters can be easily removed during periods of non use.
- Following the expiration, cancellation or termination of a street and public place use permit, all of the former permit holder's furniture must be removed from the public place within 14 days from the expiry, cancellation or termination. Failure to remove the furniture within the specified period of time will result in the Municipality of Jasper removing and disposing of the street furniture. No claim for payment or compensation from the Municipality of Jasper shall be made for, or in respect of, such removal and disposal of sidewalk seating furniture. The restitution is the responsibility of the permit holder and the pavement must also be returned to its original condition at the cost of the permit holder.





FOR MUNICIPALITY OF JASPER OPERATIONS STAFF USE ONLY
On Site Review and Measurement Confirmation

Width of sidewalk seating area	m	Comments:
Width of existing sidewalk (from property line)	m	
Number of sidewalk area seats (check liquor licence):		
Width of bypass sidewalk remaining beside proposed seating area (must be minimum of 1.8 meters):	m	

Reviewed by: _____ *Date:* _____

- Proposed sidewalk seating area will retain a 1.8 meter sidewalk bypass
- Proposed area does not retain a 1.8 meter sidewalk bypass

COMMENTS: _____