



BAKERSFIELD

THE SOUND OF *Something Better*

COVID-19 BUSINESS REOPENING ASSISTANCE

Moving Business Outdoors via temporary Closure of Private Parking Lot(s)/Sidewalks and Downtown Public Streets/Sidewalks

In light of the COVID-19 Emergency Declaration issued by the City of Bakersfield on March 19, 2020, the City has created a “COVID-19 Special Event Permit,” to help businesses comply with “social distancing” and other operating requirements mandated by the State. The process will provide businesses an opportunity to temporarily close private parking lots and sidewalks throughout the City, and some public streets/sidewalks in the Downtown area where parking lots are limited. The business could then use this space to set up outdoor seating/dining, retail areas, service areas, and/or vending areas each day.

The new COVID-19 SEP process will be available through the duration of the City’s local Emergency Declaration; and is designed to help businesses move outdoors quickly, while also ensuring the public’s health and safety. Businesses are responsible for compliance with any and all other federal, State and County orders and regulations. **The City is striving to issue COVID-19 SEPs within 5 business days.**

Any local business interested in pursuing a “COVID-19 SEP” can be complete a simplified application online as laid out in the simple steps below.

PERMIT APPLICATION PROCESS

1. Complete the [COVID-19 SEP Application](#).
2. Return the application and processing fee (\$86) to the City of Bakersfield Treasury Department via [e-mail](#) or by dropping it off at:

**City of Bakersfield – Treasury Division
COVID-19 SEP Application
1600 Truxtun Avenue | Bakersfield, CA 93301**

3. Obtain the COVID-19 SEP approval and Site Inspection from the appropriate City Department(s).

Upon receipt of your Permit Application, a representative from the City will contact you and will serve as your City Liaison and will be your primary point of contact for the processing of your permit.

For more information, contact the City Liaison at (661) 326-3757 or e-mail specialevents@bakersfieldcity.us

City of Bakersfield COVID-19 Special Event Application

Application # _____

1. General Information					
Business Name:					
Business Location/Address:					
Temporary Outdoor Area Dates:					
Business Website (if applicable):					
Daily Operating Hours of Temporary Outdoor Area:					
2. Applicant / Organizer					
Name:					
Street Address:					
City:	State:	Zip:			
Main Phone:	Alternate Phone:				
E-mail:					
3. Property Owner (If different than Applicant / Organizer)					
Name:					
Street Address:					
City:	State:	Zip:			
Phone:	E-mail:				
4. Prior Special Events Permits					
Has the Business had any prior permits issued by the City?					
If yes, were any prior permits revoked? (If so please describe why below)					
5. Type of Temporary Outdoor Area Setup (Check all boxes that apply)					
<input type="checkbox"/>	Restaurant/Dining/Beverage	<input type="checkbox"/>	Personal Services (Salons, etc.)	<input type="checkbox"/>	Art Exhibit/Display/Museum
<input type="checkbox"/>	Retail Sales	<input type="checkbox"/>	Cultural Ceremonies	<input type="checkbox"/>	Theatre/Music Performance
<input type="checkbox"/>	Gym/ Athletic/Recreational	<input type="checkbox"/>	Tent (Larger than 20' x 20')	<input type="checkbox"/>	OTHER (Describe)
NOTE: All businesses must comply with any and all other federal, State and County orders and regulations.					

6. Description of Temporary Outdoor Area Setup (Complete all sections that apply or label N/A) *

Number of Parking Spaces (prior to closure)	
Number of Parking Spaces to be closed	
Number of mobile tables, chairs, etc.	
Tent/Awning Dimensions	
Alcohol served in temporary outdoor space?	
Method & materials for blocking private parking spaces and/or sidewalks	
Method & materials for blocking public streets and/or sidewalks	
Method of maintenance/cleaning closed areas	

7. Site Plan Criteria (Applicants required to prepare a site plan that shows the items noted below) *

1. Perimeter of entire existing business and associated parking area(s), include names of all adjacent streets.
2. Label entire Temporary Outdoor Use Area (temporary closed parking lot, sidewalk and/or street)
3. Location & spacing of all temporary structures (tables, chairs, canopies, tents, portable toilets, trash cans, etc.)
4. Location of power sources & connections (portable generators, propane tanks, lighting, cooling, heating, etc.)
5. Location of the fences, barricades and barriers to delineate the outdoor use area.
6. Pedestrian access and egress points for the Temporary Outdoor Use Area.
7. Vehicle and pedestrian access and egress points for the venue (i.e., remainder of parking lot and/or building).
8. Show there will be continued circulation within the parking lot outside of the Temporary Outdoor Use Area.
9. The cooking areas to be used for the Temporary Outdoor Use Area.
10. The location of all alcohol points of sale (beer gardens or free flow plan, points of sale, etc.),
11. Please include a separate drawing of indoor restaurant outlay with ADA and restroom access.

*** 8. All Temporary Outdoor Area Use & Site Plan Design shall comply with the following Health & Safety Criteria:**

Private Parking Lots & Sidewalks:	Public Streets & Sidewalks (Downtown Area Only):
<ol style="list-style-type: none"> 1. Temporary Outdoor Use Area shall be limited to up to 50% of total number of required parking spaces. 2. Area shall be barricaded at the applicant’s cost, using mobile material approved by the Public Works Director and Fire Prevention Director. 3. Area may be used during normal business hours. 4. No blocking of ADA Parking stalls or paths. 5. No blocking of Emergency and/or Service Truck access (hydrants, fire, trash, deliveries, etc.) 6. No blocking ingress/egress points to public streets. 7. No amplified music in area. 	<ol style="list-style-type: none"> 1. Temporary Outdoor Use Area shall be limited to a maximum of half streets within Downtown area only. 2. Area subject to City Public Works approval. 3. Area shall be barricaded at applicant’s cost, with mobile material approved by Public Works Director and Fire Prevention Director, and which also meet MUTCD requirements. (mobile fencing without lock, no k-rail) 4. Area may blocked between 10am and 10pm; with all materials removed by 10pm each day. 5. Closure materials shall be located at intersections and not at mid-block locations. 6. No blocking of ADA Parking stalls or paths 7. No blocking of Emergency and/or Service Truck access (hydrants, fire, trash, deliveries, etc.) 8. No blocking ingress/egress points to public streets. 9. No amplified music in area

9. Statement of Affidavit

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief; that I have read, understand and agree to abide by the rules and regulations governing the proposed Special Event under City of Bakersfield Municipal Code, and I understand that this application is made subject to the rules and regulations established by the City Council, and/or City Manager or the City Manager's designee. Applicant agrees to comply with all other requirements of the City, County, State, Federal Government, and any other applicable entity which may pertain to the use of the Event venue and the conduct of the Event. I agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am also authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event to the City of Bakersfield.

I understand that I must comply with the event application requirements provided by the City of Bakersfield

Applicant Signature:

10. Required Documents (Please submit with completed Application)

1. Site Plan (See page 3 for Instructions)
2. Traffic Plan (Public Street Closures Only, See Attachment 1)
3. Indemnification Agreement (See Attachment 2)
4. Special Event Application Agreement (See Attachment 3)
5. Insurance Documents (See Attachment 4 & 5. Items should be available by contacting your insurance provider)
 - a. General Liability Insurance
 - b. Additional Insured Endorsement listing the City of Bakersfield (1600 Truxtun Ave, Bakersfield, CA 93301)
 - c. Worker's Comp Policy
 - d. Waiver of Subrogation
6. Good Neighbor Policy - (Public Street Closures Only, See Attachment 6)
7. For private parking lots/sidewalks, written authorization from property owner and management company.
8. California Alcohol and Beverage Control authorization (if business is permitted by ABC).
9. Kern County Health Department authorization (if business is permitted by the County).
10. Copy of any other COVID-19 related "Reopening Plan and/or Permit" from the State (if applicable).

NON-REFUNDABLE PERMIT FEE. The COVID-19 Special Event Permit fee of \$86.00 is established by resolution of the City Council and may not be waived.

CANCELLATION POLICY. Should the business owner, for any reason, need to cancel their COVID-19 Special Event Permit for outdoor dining, they must first notify the City Liaison. Written notice of cancellation must be received by our office no later than thirty (30) days prior to the event start date. Cancellations must be in written form; verbal cancellations will not be accepted.

MODIFICATIONS/CHANGES TO EVENT. Any COVID-19 Special Event Permit application that has been received or approved by the City should include all information that accurately depicts the outdoor dining plan at the time the application is submitted. Should circumstances arise that modify the event as depicted in the original application, the event organizer should immediately contact the City Liaison and request a modification to the application. A modification request may require additional review by City Departments and could result in additional requirements and costs. Approved permits for COVID-19 Special Events that have been subsequently modified without the review and consent of the City are subject to revocation.

REVOCAION OF PERMIT. Any permit issued pursuant to B.M.C. 10.69 shall be immediately revoked by the City Manager or designee whenever he/she finds: That misrepresentations were made on the application; That any of the terms or conditions of said permit have been violated, or that the business has been operated in violation of local, state or federal law; That the safety of persons or property requires such revocation; and/or, That the special event is interfering with the peace and quiet of the neighborhood. (Ord. 3807 § 1, 1997)

Attachment 1

TRAFFIC PLAN

It may be necessary for the Event Organizer to obtain a Professional Traffic Plan. Please keep in mind that streets must be closed from intersection to intersection; streets cannot be closed mid-block.

Please list the streets, from intersection to intersection, which will be closed for your event. Space is provided for up to three (3) entries. If you need more space please attach an additional sheet of paper with the requested information. Your Site Plan/Map must show all streets and closures.

1. Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: Street Closure Sidewalk Closure

2. Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: Street Closure Sidewalk Closure

3. Street Name: _____

From (cross street): _____

To (cross street): _____

Type of Closure: Street Closure Sidewalk Closure

Attachment 2

INDEMNIFICATION AGREEMENT

Host Organization and/or Event Organizer agree, in consideration of the granting of this Application and Special Event Permit for:

Event Name: _____ to be held on, _____
Event Date(s)

By _____ of _____
Event Organizer/Primary Applicant Host Organization

Host Organization and/or Event Organizer(s) agree to defend, indemnify and hold harmless the City of Bakersfield, and the City of Bakersfield's employees, officers, managers, agents, council members, and volunteers harmless from any and all losses, damages, claims for damage, liability, lawsuits, judgment expense and cost(s) arising from any injury or death to any person or damage to any property including all reasonable costs for investigation and defense thereof (including, but not limited to, attorney fees, costs and expert fees) arising out of or attributed to the issuance of Applicant's Special Event Permit regardless of where the injury, death or damage may occur, unless such injury, death or damage is caused by the sole negligence or willful misconduct of the City.

Host Organization and/or Event Organizer agree to provide satisfactory evidence of, and shall thereafter maintain during the specified special event, such insurance policies and coverage in the type, limits, forms and ratings required by the City's Risk Manager or City Attorney or their designee.

Print Name

Title

Signature

Date

Attachment 3

APPLICANT AGREEMENT

Please read each statement. Initialing next to each statement indicates your understanding and agreement to the statement.

I agree that any false statement or material misrepresentation made in support of this application and permit is cause for denial of issuance of a Special Event Permit. Applicant also agrees that failure to adhere to the policies and procedures established by the City of Bakersfield Municipal Code 10.69, known as the "Special Events", or any conditions or restrictions imposed upon the permit by the Bakersfield Police Department is cause for revocation of the Special Event Permit. Applicant further agrees that the Special Event Permit may be revoked at any time by the City Manager or his designee.

I agree, upon request, to provide a Liability Insurance Certificate providing evidence of general liability insurance coverage in the minimum amount of \$1,000,000 combined single limit AND an additional insured endorsement naming the City of Bakersfield, its officers, employees and agents' as additional insured. This document must be submitted no later than ten (10) days prior to the event start date.

I agree to notify all residents and businesses that will be affected by street/sidewalk closures and/or amplified sound. The applicant shall notify all business owners located adjacent to any right-of-way which will be closed for the event. Proof of written notice shall be submitted to the city manager or his designee. (B.M.C. 10.69.030 C.) If the event will affect access to more than one business, the applicant must notify the Greater Bakersfield Chambers of Commerce. Notification also includes the posting of Temporary "No Parking" Signs on streets involved in closures for the event.

I agree to supply warning signs and/or barricades and to situate them in such a position that the road closure may be maintained in a safe and orderly manner.

By signing below, I indicate as the Event Organizer or Host Organization an understanding and agreement to the above statements.

Print Name

Title

Signature

Date

Attachment 4

CITY OF BAKERSFIELD INSURANCE REQUIREMENTS

To the Special Event Applicant:

For the duration of your permit, you must maintain the following insurance from a company admitted to write insurance in the State of California and rated A-VII by A.M. Best Company (or equivalent). The insurance must be primary and non-contributory, contain at least a 30 day written notice of policy cancellation or if there are any material changes in the policy language or terms. Some events may require higher limits of coverage based on the discretion of the Risk Manager.

1. Commercial general liability in an amount not less than One Million Dollars (\$1,000,000) per occurrence. If food is sold, products liability coverage in an amount not less than One Million Dollars (\$1,000,000) must be included. If alcoholic beverages are sold or served, liquor liability coverage in an amount not less than One Million Dollars (\$1,000,000) must be included. If participants, film extras, and/or spectators are involved, the certificate of insurance must specify that the commercial general liability covers participants, film extras, and/or spectators as applicable. An additional insured endorsement is required and must include coverage for the City, its mayor, council, officers, employees, volunteers, and agents under your commercial general liability policy.
2. Workers' compensation as required by the California Labor Code, if the permit holder uses its own employees in conducting the planned event or activity. Waiver of subrogation endorsement is required in favor of the City. If you are not required under the State of California Labor Code to maintain workers' compensation insurance, you must complete the Workers' Compensation Exemption Declaration following this section.
3. Automobile Liability in an amount not less than One Million Dollars (\$1,000,000) combined single limit covering owned, non-owned and hired autos, if automobiles are used in the move-in, setup, break-down, or operation of the event/activity. If you are using only non-owned or hired autos, a non-owned auto endorsement to your general liability policy is acceptable.

You must provide the insurance to this office at least ten (10) working days prior to your event/activity:

- Certificate of Insurance issued by your insurance broker-agent evidencing the insurance coverage applicable to your event/activity, the insurance must be primary and non-contributory with the cancellation provision on the certificate amended to read as follows: "Should any of the above described policies be cancelled before the expiration dates or if there are any material changes in the policy language or terms, the issuing company will mail thirty (30) days prior written notice to the certificate holder. In the case of cancellation for non-payment of premium, the issuing company will mail ten (10) days prior written notice to the certificate holder."
- Any written statements by you and/or your insurance broker-agent explaining the reasons why any of the above coverage is limited or why any of the applicable requirements have not been satisfied.

All certificates and endorsements must be submitted to:

City of Bakersfield – Treasury Division 1600 Truxtun Avenue Bakersfield, CA 93301

For your convenience, we have a facsimile machine within this department. The facsimile access telephone number is (661) 852-2041. If you or your insurance broker-agent have any questions regarding these insurance requirements, please do not hesitate to contact Risk Management at (661) 326-3738.

Attachment 5



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Workers' Compensation Coverage Exemption Declaration

The undersigned (hereinafter referred to as "I" or "Me") hereby declares that the following is true and correct:

I am an individual or a company that has entered, or will be entering, into an agreement with the City of Bakersfield to provide goods or services.

I am familiar with the terms of said agreement which require Me to maintain workers' compensation coverage as required by California Law.

I am familiar with the workers' compensation laws of California (generally contained in section 3700 of the Labor Code), including those provisions which provide for specific exemptions from the requirement that all employers must carry workers' compensation insurance, and I am exempted under the law from the requirement to maintain workers' compensation insurance coverage.

In addition, during the term of any work for the City of Bakersfield under said agreement, (i) I will not employ any person in any manner so as to become subject to the workers' compensation laws of California, or (ii) should I become subject to the worker's compensation provision of Section 3700 of the Labor Code for any reason, I shall forthwith comply with those provisions and send evidence of compliance to the City of Bakersfield.

Date: _____

Name: _____ Name: _____
(Print or type) (Signature)

Company Name (if any): _____

Title: _____ Telephone: _____

Warning: In California, failure to secure workers' compensation coverage is unlawful and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000). In addition to the cost of compensation, damages may be assessed as provided for in Section 3706 of the Labor Code, including, but not necessarily limited to, interest and attorney's fees.

Attachment 6
City of Bakersfield
Good Neighbor Policy - Notice of Temporary Street /
Sidewalk Closure

The Applicant listed below has requested a temporary street/sidewalk closure. The City of Bakersfield requires the applicant to notify all residents and businesses that will be affected by the street/sidewalk closures. This document shall serve as the proof of notice of the proposed street/sidewalk closure.

A temporary street/sidewalk closure has been requested for the following date(s)/time(s) for the streets listed.

Closure Start Date: _____
(Day of Week) (Date)

Closure Start Time: _____ AM/PM



Closure End Date: _____
(Day of Week) (Date)

Closure End Time: _____ AM/PM



Street Name(s):

The purpose of the proposed street/sidewalk closure is (Event Description):

Applicant / Host Organization Name:

Contact Name:

Mailing Address:

Acknowledgement:

By signing below, the undersigned acknowledges receipt of the above Notice of Temporary Street/Sidewalk Closure.

Print Name Business Name Address

Signature Title Phone Number