



Temporary Right-of-Way Use Permits

A guide to food trucks, mobile food vendors, parklets, sidewalk cafes, street vendors and other commercial uses of the public right-of-way.



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Additional Links and Attachments:

[Public Works Permit Application](#)

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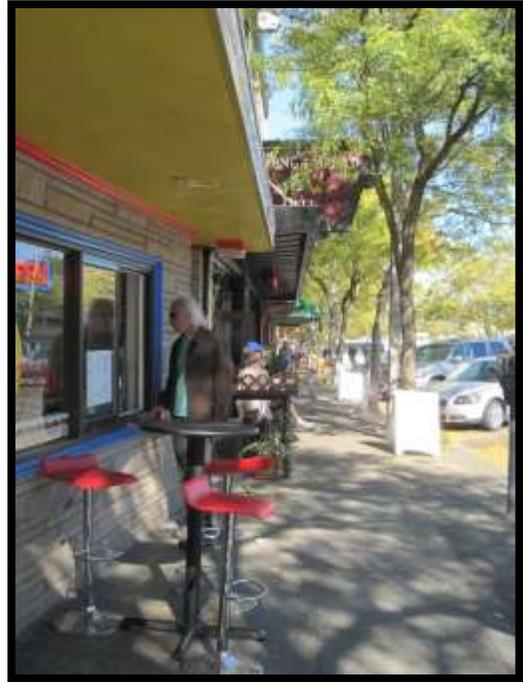
Indemnification and Insurance Form

Introduction

Activity on or adjacent to the sidewalk is an essential component to a healthy retail district. One way to encourage this activation is to allow strategic use of the public right-of-way for commercial uses, such as sidewalk vendors, sidewalk cafés, food trucks and parklets.

These uses bring vibrancy to Bellingham's streets, increasing enjoyment and enhancing character and quality of life. They also provide economic opportunity for entrepreneurs testing a concept, preparing for a brick and mortar investment, or for established businesses wishing to expand their operations.

When these activities occur in the right-of-way, locating them appropriately and regulating the size, frequency and operating hours helps maintain sidewalks and streets as safe places for travel. These restrictions also protect existing businesses whose owners have made an investment in a storefront location.



This guide provides the steps and requirements necessary for approval to use the public right-of-way. This is based on three key factors:

- Obtaining permission from the abutting business or property owner(s), who are the most immediately impacted;
- Designing the space to keep the path clear for pedestrians and maintain safe passage for all modes of transportation; and
- Following all licensing, operating, and safety requirements.

Additional information is available at the City's permit center (www.cob.org/permits):

210 Lottie Street
Bellingham, WA 98225

Phone: (360) 778-8300

TTY: (360) 778-8382

Email: permits@cob.org

Definitions

Area of operation: The part of the sidewalk or street included in the right-of-way use permit.

Curb line: The raised area creating a boundary between a street and sidewalk.

Food truck/mobile food vendor: A truck or trailer licensed as a vehicle and equipped with facilities for cooking and/or selling food.

Parklet: A platform constructed in a former curbside parking space that includes seating and other amenities.

Right-of-way (ROW): Land acquired or dedicated for public roads, streets, alleys and/or sidewalks, regardless of whether or not these facilities have been constructed.

Sidewalk café: Tables, seating or other amenities such as umbrellas, landscaping or fencing adjacent to a business and located in the public right-of-way, maintained by the business owner for the use of their customers.

Sidewalk vendor: A person, not associated with an adjacent business, engaged in selling, offering for sale or distributing food or other products on a public sidewalk.

Licensing

The City of Bellingham requires all business to be licensed with the city if they are located within city limits OR conducting business within the city limits. Other agencies may also require licensing or additional reviews. **It is the applicant's responsibility to make sure approval from outside agencies is granted prior to operating in the public right-of-way.** These agencies may include, but not be limited to:

City of Bellingham Business Registration: <https://dor.wa.gov/city-license-endorsements/bellingham>

Whatcom County Health Department: <http://www.co.whatcom.wa.us/867/Food-Safety>

Washington State Department of Labor and Industries:

<http://www.lni.wa.gov/main/smallbusiness/BusinessRequirements.asp?&source=FF>

Washington State Liquor and Cannabis Board: <https://lcb.wa.gov/>

General Requirements

The following general requirements apply to all commercial uses of the right-of-way described in this document. Uses of the right-of-way associated with Special Events, as defined in Bellingham Municipal Code 13.13, are regulated under the rules of that chapter and not required to obtain an additional right-of-way use permit.

Accessibility

All uses of the right-of-way must maintain a minimum five (5) foot unobstructed clear walking path on the sidewalk between the area of operation and the curb. Obstructions include street furniture, such as signposts, lampposts, etc. street trees or grates, meter posts, and any other protuberance into the area.

Annual Renewal

Permits are good for one year and may be renewed based on proof of compliance with all conditions of issuance and payment of the renewal fee. Failure to renew the permit may result in civil penalties.

Application Submittal

The following information must be submitted in order to obtain a right-of-way use permit:

- 1) Public Works permit application– Complete all required fields.
- 2) Site plan - Show the proposed area of operation and additional required information. See Site Plan, below.
- 3) Signature approval/notification form– All uses require approval or notification of the abutting business (or property owner, if no business is present). Some uses may require approvals or notifications beyond this area.
- 4) Indemnification and insurance form – Applicants must sign this form agreeing to hold the City harmless for any claims or liabilities related to the permitted activity and to obtain and maintain general liability insurance for the use.

Area of Operation

The area of operation is the specific location where the use has been authorized within the right-of-way. Permits are issued for a single location and are not transferrable to other locations or operators.

In reviewing the proposed area of operation, the City will consider:

- Width of the sidewalk. A minimum of 5-feet of pedestrian clearance must be maintained. The presence of appurtenances within the right-of-way (parking meters, vehicle exiting, etc) may require additional clearance.
- A minimum of 8-foot high clearance above the sidewalk is required for awnings or other protuberances.
- Proximity to existing street furniture and buildings.

VERSION 3

11-4-19

- Configuration of existing drive lanes and on-street parking stalls.
- Presence of sign posts, light poles, parking meters, bus shelters, street furniture, public art, street trees, loading zones, and other obstructions located on the sidewalk.

These considerations will determine whether the proposed use would result in pedestrian or street congestion and whether the required clearance may be maintained. After the right-of-way use permit application is reviewed, staff will mark on the sidewalk at each corner of the approved area of operation to locate the boundaries. It is the applicant's responsibility to ensure that all operations, furniture, and other obstructions remain within this area.

Fees

A permit fee will be charged upon issuance of the permit. Fees are adopted by City Council resolution and based on the area occupied and duration of the permit. See the attached [fee schedule](#) for additional detail.

Insurance

All applicants must submit an indemnification form and obtain and maintain commercial liability insurance to cover property damage, personal injury, and death, with minimum limits of not less than \$1,000,000 per occurrence. See the attached Insurance Requirements summary.

Nuisances

If complaints are received regarding nuisances caused by the use (e.g. noise, odors, etc), further conditions may be added to the permit to mitigate the nuisance. If conditions do not mitigate the nuisance, the permit may be revoked.

Notification

All applications require the notification and signature of the adjacent business owner (or property owner(s), if no business is present). Some uses may require additional notification and/or approvals, as outlined in the specific use sections in this guide.

Revocability

The applicant is responsible for maintaining the permitted use of the right-of-way in accordance with all conditions of the issued permit. Failure to comply with these conditions may result in revocation of the permit and civil penalties.

Signs

Signs must comply with the minimum standards within the commercial district they are located. Off-premise signs are not permitted anywhere within city limits.

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Site Plan

A site plan must be submitted as part of the right-of-way use permit application, including the following information, as applicable:

- Abutting street names
- Abutting business(s) names and addresses (or property owner, if no business is present)
- Footprint, dimensions and setbacks of the proposed activity, including areas for queuing, seating, awnings, landscaping, waste receptacles, etc.
- Compliance with design requirements, if required in the specific requirements of the use.
- Existing street and sidewalk features within 20-feet of the proposed area of operation, including:
 - Property lines,
 - Sidewalk width,
 - Parking spaces (with dimensions),
 - Utility covers/boxes/poles,
 - Signs,
 - Parking meters,
 - Fire hydrants,
 - Street lights,
 - Bike racks,
 - Trees,
 - Sidewalk furniture,
 - Public art,
 - Curb cuts, driveways,
 - Bike lanes and auto traffic lane, and
 - Any other physical features in the vicinity.

Storage of Materials

Storage of materials or vehicles in the right-of-way is prohibited. All furniture and other obstructions permitted by the right-of-way use permit must be removed within 7 days when not in use. Furniture and other obstructions may remain overnight or on days that the business is regularly closed.

Furniture may be secured to structures that are controlled by the operator of the adjacent business or, with permission, by the owner of the adjacent property. Furniture should be secured to allow for quick removal, such as with a cable and lock.

Transferability

Permits are not transferrable to other operators or locations.

Waste Management

The area of operation shall be maintained free of litter (including wind-blown litter). The operator shall provide container(s) for placement of food waste, recycling and/or other trash. City on-street waste receptacles shall not be used for this purpose. Waste receptacles must maintain the required pedestrian clearance at all times.

Zoning

All uses under this guide must comply with the underlying zoning.

Specific Requirements for Food Trucks



Food trucks/mobile food vendors are trucks or trailers licensed as a vehicle and equipped with facilities for cooking and/or selling food.

In addition to the General Requirements, a food truck/mobile food truck or trailer must meet the following requirements:

LOCATION

1) Is the food truck located on private property (e.g. parking lot)?

Food trucks and mobile food vendors may be located on private property, subject to Fire Department review. Long-term or problem displacement of required onsite parking may require review and approval of a parking waiver or other mitigating measures.

2) Is the food truck located within the right-of-way (e.g. on the street)?

The City may grant approval to operate in the right-of-way, including within public parking stalls, if eating establishments are allowed in that zone. This approval is subject to the following requirements:

- 1) Approval of the abutting business(s) (or property owner, if no business is present) and any existing eating establishment(s) located within 50-feet (measured from the point of the parcel nearest to the eating establishment in a straight line along the sidewalk to the area of operation).
- 2) Notification of all other businesses (or property owners) on the block and facing block.
- 3) Verification of approval from Washington State Labor and Industries (photo of tag).
- 4) Minimum of 10-foot separation from buildings.
- 5) Verification that the location can safely accommodate the food truck/mobile food trailer without impacting the traveled way.
- 6) The use of handicapped accessible stalls is prohibited.

Upon approval to operate within a metered parking area, the permit holder may provide a copy of the approved permit to the Finance Department to obtain a meter hood(s) to reserve the permitted stall(s) a maximum of two hours in advance and throughout operating hours. A \$100 refundable hood deposit will be required for each reserved stall.

When not in use, parking spaces must remain available on a first-come, first-served basis. The City will not be responsible for enforcing the availability of the space for the permit holder.

Upon displacement of ten (10) parking stalls within a single zoning designation (e.g. commercial area of an urban village) a temporary moratorium will be placed on the issuance of additional permits to allow for the evaluation of parking impacts. Changes to the codes and policies may be issued prior to the lifting of the moratorium.

Specific Requirements for Parklets



Photo Courtesy of Sustainable Connections

Parklets are an option for widening sidewalks for public space, sidewalk cafes or other uses. They typically incorporate landscaping, art, or other amenities. To create a parklet, a platform is built at grade with the sidewalk within one or more on-street parking stalls.

In addition to the General Requirements, parklets must meet the following requirements:

LOCATION

1. Parklets function best in areas with existing high-levels of pedestrian activity. Areas of lower activity/visibility will be reviewed on a case by case basis.
2. The location must not have a grade greater than 5% or a speed limit above 25 mph.
3. Approval of the abutting business(s) (or property owner, if no business is present) is required, and notification of all other businesses (or property owners) on the block and facing block.
4. Use of handicapped accessible stalls is prohibited.
5. The parklet may not block stormwater drainage areas or other street side utilities or amenities.

Upon displacement of ten (10) parking stalls within a single commercial area (e.g. commercial area of an urban village), a temporary moratorium will be placed on the issuance of additional permits to allow for the evaluation of parking impacts. Changes to the codes and policies may be issued prior to the lifting of the moratorium.

TABLE SERVICE/SIDEWALK CAFE

Construction of a parklet to accommodate a sidewalk café is permitted in areas that do not otherwise have sufficient sidewalk width to permit such activity. Table service is permitted, however, parklets should be open and welcoming to passersby, even those who do not intend to patronize the business.

If alcohol will be consumed within the parklet, additional endorsements to the liquor license may be required. Contact the Washington State Liquor and Cannabis Board for more information and additional requirements.

DESIGN

Because parklets may sit on top of critical infrastructure and utilities such as gas lines, sewer and water mains, they need to be designed for easy removal in case of an emergency. Additionally, the parklet design must be ADA compliant and adhere to the following NACTO design guidelines:

<https://nacto.org/publication/urban-street-design-guide/interim-design-strategies/parklets/>

Additional traffic safety features may be required, depending on the specific conditions at the proposed parklet location.

Specific Requirements for Sidewalk Cafés



Sidewalk cafés provide open-air seating for eating or drinking establishments. Sidewalk cafes are often located partially on private property and spill out into the sidewalk, or may be established within an approved parklet, subject to certain conditions.

In addition to the General Requirements, a sidewalk cafe must meet the following requirements:

LOCATION

- Permitted adjacent to an approved eating or drinking establishment.
- A minimum of 8-feet of open public sidewalk must be available (5-feet for an ADA-compliant walkway and 3-feet for roadside features) before a sidewalk café may be considered.
- In areas with a sidewalk width less than 8-feet, a parklet may be constructed to accommodate the sidewalk café (see specific requirements for parklets).

DESIGN /ADA COMPLIANCE

- The design of café must ensure seating is detectable to those with disabilities. Before purchasing fencing or furniture, consider its accessibility and design to those with vision impairment or mobility devices.
- All installations shall be easily removable. Bolt-down features with threaded studs protruding from the sidewalk, and other similar permanent features, are not permitted.

ALCOHOL

- If alcohol will be consumed within the sidewalk café, additional endorsements to the liquor license may be required. Contact the Washington State Liquor and Cannabis Board for more information and additional requirements, including requirements for barrier-free sidewalk cafes.
- Consumption of alcohol will require an additional alcohol endorsement on the Certificate of Liability Insurance. See attached Insurance Requirements summary.

Specific Requirements for Sidewalk Vendors



A sidewalk vendor is a person engaged in selling or distributing food or other products on a public sidewalk. It is different from a food truck/mobile food vendor in that the cart is easily and quickly moved by one operator and is not licensed as a vehicle for roadway use.

In addition to the General Requirements above, a sidewalk vendor must meet the following requirements:

LOCATION

- 1) Approval of the abutting business(s) (or property owner, if no business is present) is required.
- 2) If food is being sold, approval of any eating establishment within 50-feet (measured from the point of the parcel nearest to the eating establishment in a straight line along the sidewalk to the area of operation) is required.
- 3) Notification of all other businesses (or property owners) on the block is also required.

ITEMS OR SERVICES FOR SALE

- Items or services shall involve a short transaction period to complete the sale or render the service;
- Items must be immediately consumable or easily carried by pedestrians
- Persons selling produce and other food products produced by themselves, as exempt by RCW [36.71.090](#) and businesses selling items adjacent to their business do not require a permit.

Temporary Right of Way Use Permit Fee Schedule

Activities permitted under BMC 13.14

Number of Days Permit Valid	Area Occupied	
	<i>< 1,000 square feet</i>	<i>> 1,000 square feet</i>
5 days or less	\$25.00	\$35.00
6 days to 90 days	\$40.00	\$90.00
More than 90 days	\$150.00	\$300.00
Annual renewal fee (if applicable)	\$50.00	\$50.00



Signature Form for Notification of Temporary Right-of-Way Use

Name of the business operating in public right-of-way:

Address of the business:

Contact person name, phone number, email:

Brief description of proposed operations, including hours and dates:

By signing below, we, the abutting residents and/or business representatives affected by the proposed right-of-way use acknowledge notification and grant permission for the closure.

Name, Address, Preferred Contact (phone/email)	Signature

Attach additional page(s) as necessary



Permit Center

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8300

Email: pwpermits@cob.org Web: www.cob.org/permits

TEMPORARY RIGHT-OF-WAY USE PERMITS – INSURANCE REQUIREMENTS

Permit Applicant: Give this memorandum to your insurance broker/agent. The City's insurance requirements are very specific. You will want to work closely with your insurance broker/agent to obtain acceptable documents.

REQUIRED INSURANCE COVERAGE

Applicant must have **Commercial General Liability Insurance** written on an industry standard occurrence form (ISO form CG 00 01 or equivalent) covering property damage, personal injury and death with a limit of not less than **\$1,000,000** per occurrence.

- The City must be added as an **additional insured**.
- Coverage must be **primary and noncontributory**.
- Coverage must include a **waiver of subrogation**.
- **If alcohol will be served or consumed within the permit area**, the applicant must have liquor liability coverage with a limit of not less than \$1,000,000 per occurrence. Host Liquor Liability coverage is acceptable only if alcohol is being served to guests free of charge. It is NOT acceptable if alcohol will be sold; in that case, Liquor Liability Insurance is required.

REQUIRED DOCUMENTATION

Applicant must submit the following documents to the City prior to permit issuance as evidence that the above insurance requirements are met:

- **Certificate of Insurance** (ACORD form or equivalent).
 - List all endorsements attached thereto.
- **Endorsements.** The following endorsements must be attached to the certificate:
 - Additional Insured Endorsement (ISO form CG 20 12, CG 20 26 or equivalent).
 - Primary & Noncontributory Endorsement (ISO form CG 20 01 or equivalent).
 - Waiver of Transfer of Recovery Rights Endorsement or Waiver of Subrogation Endorsement (ISO form CG 24 04 or equivalent).

NOTICE TO BROKERS/AGENT REGARDING FORMS

The additional insured endorsement must reflect the City's role as a governmental entity issuing a permit. (See recommended ISO additional insured endorsement forms listed above.) Conversely, ISO forms CG 20 09, CG 20 10 and CG 20 33, and their equivalents, are NOT acceptable because the permit applicant is NOT "performing work for" the City or "leasing property from" the City. The CGL policy number must appear on the endorsement.

Sample forms attached.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
Must be current.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
	PHONE (A/C, No. Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED Name must be identical to name on Indemnification and Insurance Agreement executed in connection with permit.	INSURER A :	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	Liquor liability Insurance must be listed here, when required.						\$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

- Permitted Activity or Event should be identified here.
- All endorsements should be listed here, e.g.: Certificate holder is an additional insured per attached CG 20 12. Coverage is primary and noncontributory per attached CG 20
- Waiver of subrogation applies per attached CG 24 04.

CERTIFICATE HOLDER

CANCELLATION

City of Bellingham 210 Lottie Street Bellingham, WA 98225	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
-----------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

© 1988-2016 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

PRIMARY AND NONCONTRIBUTORY – OTHER INSURANCE CONDITION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

Primary And Noncontributory Insurance

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

(1) The additional insured is a Named Insured under such other insurance; and

(2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

SAMPLE

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization:

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of Section IV – Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

SAMPLE

**CITY OF BELLINGHAM
INDEMNIFICATION AND INSURANCE AGREEMENT
FOR TEMPORARY RIGHT-OF-WAY USE PERMIT
PERMIT # _____**

THIS INDEMNIFICATION AND INSURANCE AGREEMENT is entered into by and between the City of Bellingham (the "City") and _____ ("Permittee") for and in consideration of the City's issuance to Permittee of a temporary right-of-way use permit.

1. **Indemnification.** Permittee hereby agrees to defend, indemnify and hold the City harmless from all claims and liabilities, including for personal injury, death, and property damage, arising wholly or partially out of any act or omission of Permittee, its owners, directors, employees, agents, contractors and volunteers in connection with the permitted use of the right-of-way.
2. **Insurance.** Permittee shall obtain and maintain commercial general liability (CGL) insurance covering personal injury, death and property damage with minimum limits of \$1,000,000 per occurrence. Permittee's CGL policy shall cover the City as an additional insured on a primary and noncontributory basis and shall include a waiver of subrogation. Liquor liability insurance is required if alcohol will be sold in connection with the permitted use of the right-of-way.
3. **Authority.** The undersigned is duly authorized to execute this Agreement on behalf of Permittee and to bind Permittee to the terms and conditions of this Agreement.

Permittee:

Signature

UBI No. (Businesses Only)

Print Name

Date

City of Bellingham:

Approved as to Form:

Permit Center

Office of the City Attorney

Date