



CITY OF BEND

USE OF RIGHT OF WAY AGREEMENT

The City of Bend has created a Commercial Parklet License Program to allow businesses to operate in the public right of way through proposals submitted to the City for approval. A commercial parklet provides a small outdoor seating area in on-street parking spaces, a loading zone, or alley space, as applicable, adjacent to the restaurant, bar, or retail business, for use for longer than one week. Businesses must submit this form with the rest of their Commercial Parklet License application materials to the City of Bend prior to commencing outdoor operations.

Business Address: _____

Business Name(s): _____

Business Owner Name (print): _____

Phone: _____

Email: _____

Requirements

- The City encourages interested parties to collaborate and submit joint proposals for use of public right of way.
- Tables/displays must not block entrances, exits, fire lanes, hydrants, sprinkler connection points, drive aisles and back-up areas that continue to be used by vehicles, or pedestrian or ADA access.
- Building and fire access requirements must be maintained.
- ADA routes and dedicated parking must be maintained. Parklets cannot be placed in ADA parking spaces.
- Applicants must continue to comply with all other city codes and regulations (e.g, noise code).
- Applicants will take all reasonable efforts to avoid undue adverse impacts to adjacent properties from this additional use.

Prohibited Uses

- Permanent structures
- Any modifications to or use of the right of way that would result in permanent damage to public infrastructure.



Right to Revoke

The City has the right to revoke this Agreement and all associated permissions for any violation of the requirements of the Agreement. The City may also revoke this Agreement if the City determines, in its sole discretion, that the Agreement and its associated permissions are inconsistent with changing circumstances, including but not limited to changes related to public health considerations, data, guidance, or requirements from federal, state, or county authorities, and changes in policy direction from the Bend City Council. Although the City will endeavor to provide reasonable notice prior to any revocation, the City may revoke this Agreement and its associated permissions at any time, without advance notice.

Applicant Authorization and Acceptance of Responsibility

I (we) have read and agree to abide by these requirements. I (we) further agree to release the City of Bend from any liability, losses, claims, damages, settlements and/or attorney’s fees of any kind related in any way to this Agreement and its permissions, and to indemnify and defend the City as to liability for allowing the activity. Applicant agrees to be responsible, at its sole cost, for complete restoration of any damage or deterioration of public infrastructure related to Applicant’s use of right of way. Applicant agrees to provide appropriate insurance for the additional use and to provide proof of insurance to the City upon request.

Signature: _____

Date: _____

Print Name: _____

