



**Indemnification and Insurance Requirement for Village/Barrio Area Right-of-Way Use Permits**

*Certification Statement:*

I Certify that I am the **Legal Business Owner** of the subject business and that all the above information is true and correct to the best of my knowledge. I agree to accept and abide by any conditions placed on the subject project as a result of approval of this application. I agree to indemnify, hold harmless, and defend the City of Carlsbad and its officers and employees from all claims, damage or liability to persons or property arising from or caused directly or indirectly by the installation or placement of the subject property on the public sidewalk and/or the operation of the subject business on the public sidewalk pursuant to this permit unless the damage or liability was caused by the sole active negligence of the City of Carlsbad or its officers or employees. I have submitted a Certificate of Insurance to the City of Carlsbad in the amount of **two million dollars** issued by a company which has a rating in the latest "Best's Rating Guide" of "A-" or better and a financial size of \$50-\$100 million (currently class VII) or better which lists the City of Carlsbad as "additional insured" and provides primary coverage to the City. I also agree to notify the City of Carlsbad thirty days prior to any cancellation or expiration of the policy. The notice shall be delivered to:

City Engineer  
City of Carlsbad  
1635 Faraday Avenue  
Carlsbad

The insurance shall remain in effect for as long as the property is placed on the public sidewalk or the business is operated on the public sidewalk. This agreement is a condition of the issuance of this administrative permit for the subject of this permit on the public sidewalk. I understand that an approved administrative permit shall remain in effect for as long as outdoor displays are permitted within the Village area and the permittee remains in compliance with the subject approved permit.

*Acknowledgement Statement:*

Curb cafes are temporary structures on public streets. The City Engineer may require their temporary or permanent removal to accommodate street or other infrastructure improvements or maintenance or to ensure adequate public parking is maintained. Sidewalk cafes and outdoor displays are subject to the City Engineer's discretion and use may be altered or revoked as necessary to preserve adequate right-of-way purpose and public safety.

Signature \_\_\_\_\_ Date:

Print Name \_\_\_\_\_

*Certification Statement:*

I Certify that I am the **Legal Property Owner** for the subject business location and that all the above information is true and correct to the best of my knowledge. I support the applicant's request for a permit to place the subject property on the public sidewalk. I understand that an approved administrative permit shall remain in effect for as long as outdoor displays are permitted within the Village area and the permittee remains in compliance with the subject approved permit.

Signature \_\_\_\_\_ Date:

Print Name \_\_\_\_\_