



TOWN OF CRESTON
Annual Sidewalk Use (ASU)
Application / Permit

File: 4500.60
Permit # _____

PURPOSE: The purpose of this annual permit is to enhance street life and promote economic and social vitality in the downtown core by enabling businesses to make application to use the sidewalk.

USE: The applicant may use the sidewalk abutting on the applicant's adjacent commercial premises under the terms and conditions of this permit.

APPLICANT'S NAME: _____ (please print)

APPLICANT'S BUSINESS NAME: _____

APPLICANT'S MAILING ADDRESS: _____

EMAIL ADDRESS: _____

PHONE #: _____

NATURE OF THE SIDEWALK USE (including any tables, chairs, display stands, etc.):

YEAR OF USE: 20____ (please note, your application must be renewed each calendar year)

ADDRESS OF APPLICANT'S ADJACENT COMMERCIAL USE:

TERMS AND CONDITIONS:

1. Town Council reserves the right to deny or revoke any sidewalk use permit, at its discretion, without prior notice.
2. A continuous 1.2 metres (47 inches) of the width of the sidewalk (not including Town infrastructure or sidewalk furniture) abutting the travelled portion of the roadway must be reserved for pedestrian passage and remain unobstructed.
3. There is no application or permit fee.
4. Applicants and event organizers will be required to provide 3rd party liability insurance in the amount of \$2,000,000, naming the Town as an additional insured, as per Town policy. The Town Manager, Director of Municipal Services, or their designate, may provide an exemption to the requirement to provide third party liability insurance for non-profit organizations, etc.
5. The free movement of traffic or pedestrians must not be inhibited by the applicant's use of the sidewalk.
6. Obstructions will be removed by the Town of Creston, at the expense of the applicant, with fines resulting if obstructions persist, as per the Town's Bylaw Notice Enforcement Bylaw.
7. Sales are limited to the location specified on the ASU Agreement and the applicant must sign the attached Waiver of Liability.
8. No sale shall operate between the hours of 10:00 p.m. and 7:00 a.m.
9. Any and all garbage shall be disposed of in litter barrels or similar facilities.
10. Displays of socially offensive material (as determined by Council) are not permitted and may result in the permit being revoked.
11. All sales must comply with the provisions of the Town of Creston's bylaws.
12. This permit is non-assignable by the holder and applies only to the above commercial premises.
12. **Any violations of the above noted terms and conditions may result in this permit being revoked.**

I/We state the information supplied in this application is complete and correct; and further agree to abide by the terms and conditions noted above.

SIGNED: _____

DATE: _____

APPROVED / REFUSED BY: _____

(Corporate Officer)

ADDITIONAL TERMS AND CONDITIONS:

**TOWN OF CRESTON
ANNUAL SIDEWALK USE PERMIT # _____, 20__
WAIVER OF LIABILITY**

(Applicant)

(Name/Type of Use)

_____ (Location) _____ (Year)

In consideration of the Town of Creston agreeing to permit the Applicant to utilize the municipal sidewalk at the above referenced Location, the undersigned does hereby release the Town of Creston from any and all liability whatsoever and does hereby agree to indemnify and save harmless the Town of Creston from and against all claims, causes of action, lawsuits, damages, losses, costs or expenses of any kind, including all legal costs, disbursements and fees, taxed on a solicitor and client basis, by reason of the Applicant's use of the sidewalk at the Location.

The Applicant does hereby agree to use the Location only for the use noted on Sidewalk Use Permit # _____ issued to the Applicant and strictly in accordance with the terms and conditions in that permit and any and all regulations, municipal, provincial or federal, applicable to carrying on the sidewalk use at the above referenced Location.

DATED at the Town of Creston this ____ day of _____, 20__.

The Applicant, by its proper)
officers authorized to sign)
on its behalf:)
_____) (C/S)
Authorized Signatory)
_____))
_____))
Authorized Signatory)

Note: If the applicant is not incorporated, signature must be witnessed and name and address of witness noted on permit/waiver of liability.

Witness Signature

Name (Please Print)

Address (Please Print)