



# Town of Creston COUNCIL POLICY

POLICY:

SER-009-005

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## Sidewalk Use Permit Policy

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<b>PURPOSE</b>	To provide sidewalk use and sale opportunities in the Town of Creston.
<b>SCOPE</b>	Town of Creston Council, Town of Creston staff and all applicable applicants.
<b>POLICY</b>	The use of the sidewalk immediately adjacent to a business/organization is permitted in the Town of Creston when in conformance with this policy.

### PROCEDURES

- 1.0 Any business or organization intending to use the sidewalk adjacent to their business must complete and sign the Sidewalk Use Permit Application and attached waiver of liability, available at Town Hall.
- 2.0 Sidewalk Use Permits must be obtained in advance of the intended use.
- 3.0 Sidewalk use is limited to the location specified on the Sidewalk Use Permit.
- 4.0 Applicants and event organizers must have a valid business license and 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.
- 5.0 The Chief Administrative Officer, Director of Community Services or their designate, may provide an exemption to the requirement to provide third party liability insurance for non-profit or community based organizations.
- 6.0 Sidewalk Use Permits must be approved or denied by the Chief Administrative Officer, Director of Community Services or their designate within 10 business days of receiving a complete application form.

### TERMS AND CONDITIONS

- 7.0 Sidewalk Use Permits expire December 31 of each year.
- 8.0 Only that portion of the sidewalk immediately adjacent to the business applying for the sidewalk use-sale permit is available for use.
- 9.0 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, unless otherwise approved by Council.

- 10.0 The free movement of traffic or pedestrians must not be inhibited by the applicant's use of the sidewalk.
- 11.0 No part of the street or parking space can be used for display or occupied.
- 12.0 Obstructions will be removed by the Town of Creston, at the expense of the applicant, with fines resulting if obstructions persist, pursuant to Bylaw Notice Enforcement Bylaw No. 1760, 2011.
- 13.0 Town Council reserves the right to deny or revoke any Sidewalk Use Permit at its discretion, without prior notice.
- 14.0 There is no application or permit fee.
- 15.0 No use or sale shall operate between the hours of 10:00 p.m. and 7:00 a.m.
- 16.0 Any and all garbage shall be disposed of in litter barrels or similar facilities.
- 17.0 Displays of material that promotes discrimination, contempt or hatred for any group or person on the basis of colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression, or mental or physical disability (as per Section 318 and 319 of the *Criminal Code of Canada*) are not permitted.
- 18.0 All uses must comply with provincial and federal law, and any Town of Creston's bylaw or policy.
- 19.0 Any violations of the above noted terms and conditions may result in revocation of the Sidewalk Use Permit.

**POLICY RECORD**

Date Approved by Council:	April 27, 2021	Resolution No.	#139-21
Next Review Date:	2026	Policy No:	SER-009-005
Last Review Date:	2021	Replaces:	New
Administrative Review:	2023		