



**Page 2 of Temporary Outdoor Business Area Declaration**

**APPLICANT:** \_\_\_\_\_

**USE INFORMATION:**

Number of chairs \_\_\_\_\_

Number of tables \_\_\_\_\_

Other equipment/temporary items, if any \_\_\_\_\_

\_\_\_\_\_

Specific location of Temporary Outdoor Business Area – please identify specific location(s) (include diagram or photo)

\_\_\_\_\_

### **Schedule A to Temporary Outdoor Business Area Declaration**

- 1) Notwithstanding anything to the contrary in the Street Occupancy Permit, the Applicant will obtain and maintain at all times commercial general liability insurance covering claims for bodily injury, death, property damage and property loss with limits of at least \$5,000,000 per accident or occurrence. Such insurance will cover the District as an additional insured, will be primary and not contributory, and will contain a cross-liability clause and a waiver of the insurer's rights of subrogation against the District.
- 2) The Applicant agrees to and does hereby indemnify and hold harmless the District and the District's employees, contractors, and elected and appointed officials (collectively with the District, the "District Parties") from and against any and all claims, costs, expenses, fees (including legal fees and disbursements on a solicitor and own-client basis), proceedings, actions, causes of action, judgments and other liabilities whatsoever (collectively, "Claims") that may at any time be suffered or incurred by, or made, claimed or brought against, any of the District Parties directly or indirectly in connection with or as a result of the Applicant's use of municipal property as a Temporary Outdoor Business Area, including, without limitation, Claims arising from or relating to bodily injury, death, property loss or property damage on or about the Temporary Outdoor Business Area.
- 3) The Applicant hereby releases, remises and discharges the District Parties from any and all Claims that the Applicant or anyone claiming by or through it may suffer or incur, or have, make or bring against the District Parties or any of them, in connection with the Temporary Outdoor Business Area Guidelines, this Declaration, the Street Occupancy Permit or the Applicant's Temporary Outdoor Business Area.