



## BUSINESS USE OF PUBLIC PROPERTY ENCUMBRANCE REGULATIONS

1. The user shall apply for and obtain a "Business Use of Public Property Encumbrance Permit" for that area of the sidewalk or other public property to be used by the business.
2. The user shall provide an insurance policy (certificate of insurance) to protect the City of Concord per Article 15-8-3(e) of the Code of Ordinances. The certificate shall be in the amount of at least equal to \$1,000,000 liability and \$1,000,000 for property damage, naming the City as a **Primary Non-Contributory Additional Insured**.
3. The user shall remove all encumbrances from the sidewalk or other public property at such times as the business is not open, or as required by the "Business Use of Public Property Encumbrance Permit."
4. The user shall clean up the sidewalk or other public property area at the end of each business day. The City reserves the right to require the user to provide and maintain trash receptacles. The user shall be responsible for any damages that occur as a result of the use of the sidewalk or other public property.
5. The user shall not serve any alcoholic beverages within the sidewalk area unless approved by the Concord Police Department, Health & Licensing Officer, and the NH State Liquor Commission.
6. The user shall not place tables, chairs, signs, or other items in front of any door or other means of egress or in any manner which may block or hinder access to any adjoining property or any fire detection, alarm, or suppression equipment, or in any place or manner deemed hazardous by the Health & Licensing Officer.
7. The user shall provide a minimum unobstructed clear sidewalk width of approximately six (6) feet for pedestrian use, identified as Zone B on the Sidewalk Zones diagram. Brick pavers in Zone C shall not be counted towards the six (6) feet. Zone B shall be kept clear of all tables, chairs, signs, planters, stanchions, or any other private feature.
8. The user shall not place table awnings or umbrellas upon the sidewalk unless they project no further than the tables allowing an unobstructed sidewalk width of approximately six (6) feet.
9. The user shall provide a minimum three (3) foot unobstructed area around parking kiosks, benches, bike racks, waste receptacles, wayfinding signage, and any other public amenity provided by the City. The user shall not block access to the above mentioned amenities at any time.
10. The user shall place encumbrances on the public property only in front of the licensed business, or in front of those immediately adjoining businesses which provide written approval to do so. For business with no street frontage, sidewalk signs may be located in front of the access from the street to the business location.
11. One sidewalk sign, no greater than four (4) feet in height and three (3) feet in width, shall be permitted per business location within the City right-of-way. The sign shall be of a durable material such as metal, plastic, or wood. Sidewalk signs found in violation of these regulations may be removed by City staff and will be stored on City property for up to 10 days or until such point as the sign owner comes into compliance. After 10 days, the sign will be destroyed.
12. Business Use of Public Property encumbrances are permitted from April 1 to November 15 of the same year, with the exception of sidewalk signs, which may be permitted year round. All encumbrances shall be removed for the purposes of snow removal.
13. Enforcement of these regulations is authorized through the City Charter and the City of Concord Code of Ordinances, Article 15-10-10 & Article 28-6-12(c).