



THE EAST VILLAGE ASSOCIATION (EVA) PUBLIC RIGHT OF WAY (PROW) ENHANCEMENT PROGRAM FOR SIDEWALK DISPLAYS, SIGNS & OUTDOOR CAFÉS

PURPOSE: To provide East Village businesses with the opportunity to increase business activity and to offer a simple process for businesses to comply with use of the public right-of-way and maintain order and public safety.

GUIDELINES: *(Please review complete program application for detailed description of requirements)*

- 1) Applies to use of freestanding sign, outdoor display and outdoor dining.*
- 2) Only businesses fronting public right-of-way are eligible (first floor).
- 3) Enhancements can only be placed directly in front of businesses storefront.
- 4) The East Village Association may approve or deny temporary-use of public right-of-way.
- 5) Enhancements may be placed no closer than 2-feet from the curb.*
- 6) A clear path of travel must be maintained with a min. width of 5-feet to meet ADA requirements.
- 7) Enhancements must not block access to building entrances/exits, existing street furniture, bus benches/shelters, etc.

** Within these expanded outdoor dining areas, alcohol service is not permitted.*

PROCESS:

- 1) Applicants must review PROW Enhancement Program Guidelines (Exhibit A) before submitting their application. *I received a copy of PROW Enhancement Program Guidelines, INITIAL HERE: _____*
- 2) Applicant must submit a proposed Site Map (Exhibit B) with existing street furniture and utilities and proposed enhanced amenities.
- 3) Upon approval of Site Map (Exhibit B), the applicant must provide proper insurance in accordance to PROW Enhancement Program with additional requirements by the East Village Association (Full Document - Exhibit C).
 - a. General Liability \$2M Each Occurrence / \$4M Aggregate General Liability Limits evidenced by a Certificate of Insurance.
 - b. Additional Insured status for East Village Association, The City of San Diego, New City America, Inc. and the agents, officers and employees of the respective entities. Additional Insured endorsement to be included with Certificate of Insurance.
 - c. General Liability Waiver of Subrogation.
 - d. 30-Day Notice of Cancellation / 10-Day Notice of Cancellation for Non-Payment of Premium by endorsement. Workers' Compensation coverage shown on Certificate of Insurance.
- 4) Applicant will need to review, sign and return the Indemnification Agreement (Exhibit D) drafted by East Village Association legal counsel.
- 5) Once EVA PROW Enhancement Program Permit is issued, any changes must be submitted for review and approval before changes can be made.



**EAST VILLAGE PUBLIC RIGHT-OF-WAY (PROW) ENHANCEMENT PROGRAM PERMIT
GENERAL INFORMATION**

1. Business Name: _____

2. Business Address: _____

3. Owner's Name: _____

Name	Title
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4. Contact Info.: Business Phone: _____

Fax: _____

E-mail: _____

5. Property Owner's Name: _____

6. Property Owner's Phone: _____

7. NPM (Non-profit Management): East Village Association

8. NPM Chief Executive Admin.: Marco Li Mandri

9. NPM Address : 1041 Market Street #200
San Diego, CA 92101

10. NPM Phone: 619-546-5636

SPECIFICATIONS OF ENHANCEMENT TYPE

Check any or all of the following for which this application is submitted.

- Freestanding Sign Outdoor Display Outdoor Dining Area

- A copy of this application and its drawings shall be kept on file at NPM office for public viewing. A notice of this application and plans shall be kept on file at the business site. The notice at the site shall be posted in a window for public viewing.
- Changes to the plans shall be submitted to the NPM for approval.
- Signature(s) below indicate that the applicant has read the reverse side of this application form and the General Requirements, Standards, and Conditions of this Program and agrees to comply with them. "Enforcement and Due Process" is hereby made part of this application.

APPLICANT

_____ Printed Name	_____ Signature	_____ Date
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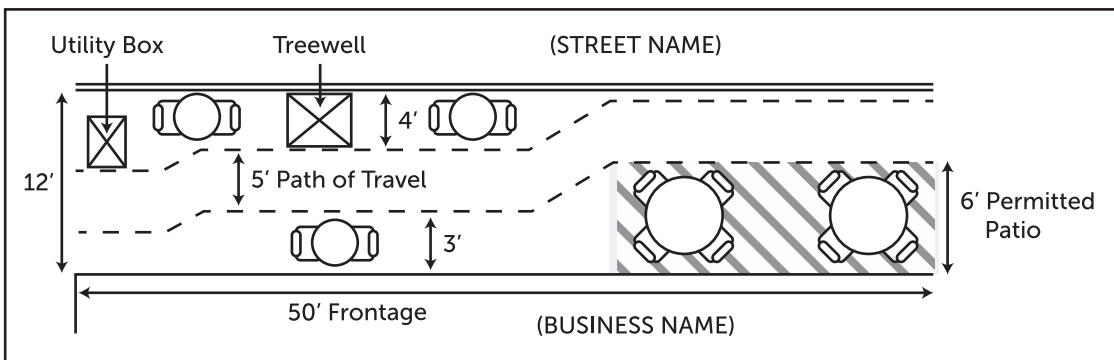
NPM EXECUTIVE DIRECTOR

Marco Li Mandri	_____ Signature	_____ Date
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EXHIBIT B - SITE MAP

Applicant must submit a site map with street name(s), measurements of building frontage, sidewalk, existing permitted cafe zone (if applicable), enhanced amenities spacing (A frame, dining furniture, displays, etc.), 5-foot ADA pathway and above ground utilities spacing. The site map can be hand drawn, but must be done in black or blue pen.

EXAMPLE:



Business Name: _____

Reviewed by: _____

Submitted by: _____

Edits Needed: Y N

Date Submitted: _____

Approved: Y N

Date: _____



EAST VILLAGE ASSOCIATION INSURANCE REQUIREMENTS

The insurance requirements are included in the Defense and Indemnity Agreement. Below is a summary of those requirements:

- 1) Commercial General Liability Insurance: Maintain Commercial (or Comprehensive) General Liability coverage in the minimum amount of two million dollars (\$2,000,000.00) per occurrence, four million dollars (\$4,000,000.00) aggregate. Total limits may be achieved through a combination of a primary policy and Excess or Umbrella policy. To remain in full force and effect for occurrences and acts in any way arising out of or relating to Indemnitor's extended operations under Indemnitor's operations in its Extended Operation Zone.
- 2) Additional Insureds: Specifically include East Village Association, the City of San Diego, and New City America as Additional insureds on the General Liability coverage with the following information:

City of San Diego c/o Risk Management 1200 Third Avenue #1000 San Diego, CA 92101	East Village Association 1041 Market Street #200 San Diego, CA 92101
	New City America Inc. 2011 California St San Diego, CA 92110
- 3) Primary Coverage: For any claims related to the Indemnitor's extended operations, Indemnitors' insurance coverage shall be primary coverage. Any insurance or self-insurance maintained by the Indemnitees, and/or their officers, officials, employees, volunteers, agents and representatives shall be excess of Indemnitors' insurance and shall not contribute with it.
- 4) Waiver of Subrogation: Indemnitor hereby grants to the Indemnitees a waiver of any right to subrogation which any insurer of any Indemnitor may acquire against any one or more of the Indemnitees by virtue of the payment of any loss under Indemnitor's insurance. Indemnitor agrees to request any endorsement that may be necessary to affect this waiver of subrogation, but this waiver shall apply regardless of whether or not Indemnitor has received a waiver of subrogation endorsement from their insurer(s).
- 5) Workers' Compensation insurance must be in place and evidenced on Certificate of Insurance.

In connection with the foregoing insurance coverage, Indemnitor further agrees to deliver to East Village Association a Certificate of Liability Insurance and corresponding Endorsements evidencing the required insurance coverage on or before approval of PROW Permit request.

EAST VILLAGE ASSOCIATION OF SAN DIEGO

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Facebook / Instagram / TikTok / Twitter: [@EastVillageSD](https://www.instagram.com/EastVillageSD) ■ [#EastVillageSD](https://www.instagram.com/EastVillageSD)