



MORGAN HILL a! FRESCO

Guide for Temporary Outdoor Dining & Retail Activation

www.morganhill.ca.gov

“Morgan Hill al Fresco”

TEMPORARY OUTDOOR DINING & RETAIL ACTIVATION

The Morgan Hill al Fresco program is an opportunity for restaurants and retailers to safely reopen during the COVID-19 pandemic by utilizing new or additional outdoor space for dining or displaying retail merchandise, while meeting physical social distancing requirements. Morgan Hill al Fresco is a great way to expand square footage, add liveliness to city streets, and promote business recovery!

Businesses wishing to use on-street parking spaces, sidewalks, or other public spaces, can apply for a temporary encroachment permit from the City of Morgan Hill. It is fast, easy, and FREE!

- ✓ City of Morgan Hill Temporary Encroachment Permit Application
Required with Application:
 - Supplemental Diagram
 - Liability Insurance (coverage reduced for on-street spaces!)To qualify for streamlined response:
 - No structure (decking) required—no Building Permit needed!
 - If new space is in sidewalk area, space must allow for pedestrian access
 - All spaces must be compliant with ADA requirements
 - If the new space is in the street, space must be safely closed off to traffic with a City-approved protection device. City may be able to provide traffic safety barrier.Submission and Review:
 - Submit application, insurance, photos, and diagram to both:
john.henry@morganhill.ca.gov & agustin.vizcarra@morganhill.ca.gov
 - 1-3 day review period, depending on the need to review traffic safety measures

Additionally, all businesses need to obtain and conform with all governmental rules and regulations:

- ✓ [Santa Clara County Public Health Social Distancing Guidelines](#)
- ✓ Temporary Catering Permit from the [Department of Alcoholic Beverage Control](#) (if selling alcohol)

For questions, please contact the Morgan Hill al Fresco Liaison,
Hilary.Holeman@morganhill.ca.gov





“Morgan Hill al Fresco”

Temporary Encroachment Permit Application

Name of Business:

Physical Address of Business:

Name of Applicant:

Phone:

Email:

Name of On-Site Manager:

Phone:

Email:

Business Website:

Business Hours:

Access & Safety Requirement Checklist (check each box to certify that you adhere to the following requirements):

- Dining, retail activity, and merchandise display area must be limited to the width of the business.
- For use of the public sidewalk, a minimum, unobstructed width of five (5) feet must be permanently maintained for public pedestrian passage. Furnishings and merchandise shall not be placed in a manner that obstructs access to this pedestrian passage.
- No items shall block visibility for required street signs, crosswalks, and intersections.
- Movable racks and furniture must be adequately secured, so that they do not roll or are easily tipped over.
- The area shall be maintained in a sanitary condition free from litter, infestation from pests and the storm drain must be kept clear.
- All building exits and exit pathways must be kept clear.
- Access to building fire protection equipment and sidewalk fire hydrants must be kept clear.
- No use of extension cords in the sidewalk area.
- No stacking of furnishings in outdoor areas.
- A fire extinguisher inside the building must be quickly accessible.
- Open flame (such as candles) is not permitted.

Description of Encroachment: Briefly describe the type of the encroachment requested.

For example: if you wish to add café table, list the number and description of tables and chairs, and how you will clearly designate them only for customers if you wish to restrict their use (location of signs/placards). In addition, if the site is in the street and impedes vehicular and/or pedestrian traffic, appropriate barriers and traffic plans need to be approved by City Engineers.



Site Plan

Attach a simple diagram with dimensions showing the layout of the outdoor space, including; where furnishings or merchandise will be placed with a minimum of 6 feet between tables. This can be a hand drawing on a 8.5" x 11" sheet of paper.

Certificate of Liability Insurance & Endorsement

Attach (1) a certificate of Liability Insurance and (2) an endorsement form which names the "City of Morgan Hill, its' elected officials, officers, employees, agents, volunteers and representatives" as "Additionally Insured". The general liability coverage of the policy must be for at last One Million Dollars (\$1,000,000.00).

Property Owner Permission: The property owner has given applicant permission for improvements described in application.

Initials ____

I have a current and valid Morgan Hill Business License

Initials _____

Additional Requirements

I certify that my business is adhering to all governmental rules, regulations and requirements in operation of my business, including but not limited to those rules established by the County Department of Environmental Health, County Department of Public Health, and the State Department of Alcoholic Beverage Control for both ongoing operations and those issued specifically for the COVID-19 shelter in place orders.

I agree Initials ____

I understand that the City's acceptance of this encroachment permit application does not constitute approval be the City. Furthermore, I understand that any person who does or causes to be done any improvement or encroachment work of any kind within the City's right-of-way without first having obtained a permit therefore, is in violation of Municipal Code Section 12.08.040 and therefore deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$1,000.00 or by imprisonment in the county jail for not more than six months, or by both fine and imprisonment, per Municipal Code Section 12.08.150.

Applicant Signature

Print Name

Date

**E-mail completed application, site drawing, and insurance to both
john.henry@morganhill.ca.gov & agustin.vizcarra@morganhill.ca.gov**



SAMPLE SITE PLAN

Attach a simple diagram with dimensions showing the layout of the outdoor space, including; where furnishings or merchandise will be placed with a minimum of 6 feet between tables. This can be a hand drawing on a 8.5" x 11" sheet of paper.