



## Santa Monica Sidewalk Dining Program - Request for Consent to Expand Sidewalk Dining Area

### Applicant Acknowledgement *(to be filled out by sidewalk dining applicant)*

I, \_\_\_\_\_ (**"Applicant"**) represent that I am the owner, or authorized agent, of the following business:

Business Name:

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Business Address:

Applicant's Mailing Address (if different from Business Address):

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Applicant's E-mail Address:

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I seek authorization for the business referenced above (**"Business"**) to expand the footprint of the sidewalk dining area that the Business seeks to operate or is currently operating. *Check the request that applies below.*

I seek authorization for the Business to occupy the frontage of an immediately adjacent building with a vacant ground floor.

I seek authorization for the Business to occupy the frontage of a building with a vacant ground floor that is located immediately across the Third Street Promenade from the Business.

The proposed sidewalk dining expansion extends into the frontage of a property (**"Expansion Area"**) located at:

Insert Property Address (**"Property"**):

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I understand and agree that, if the City grants the authorization requested above, the Business will be responsible for complying with all applicable federal, state, county, and municipal laws, including Santa Monica Municipal Code ("SMMC") Chapter 6.40, SMMC section 9.31.200, Sidewalk Dining permit, and the Santa Monica Sidewalk Dining Guidelines (collectively the "Laws") in connection with its operation of outdoor dining, including use of the Expansion Area.

I understand and agree that, if the City grants the authorization requested above, the City may terminate the authorization pursuant to the terms and conditions of a Sidewalk Dining License Agreement between the City and Business ("License").

I understand and agree that, if the City grants the authorization requested above, the City may terminate the authorization granted to the Business to use the Expansion Area for outdoor dining, at any time, upon 30 days' prior written notice, or sooner and without notice to Applicant or Business, if the reason for such termination by City is necessitated by the public health, safety or welfare of any person, which determination will be made in City's sole and absolute discretion.

I understand and agree that, if the owner of the Property consents to the Business' use of the Expansion Area for outdoor dining, the owner of the Property may revoke such consent, at any time, upon 30 days' prior written notice to Applicant or Business.

I understand and agree that, if the City grants the authorization requested above and subsequently terminates such authorization, the Business, at its sole cost, will be responsible for returning the Expansion Area to its original condition without furnishings, improvements, or property, including tables, chairs and railings located on or in the Expansion Area per the terms of the License.

I understand and agree that I must obtain an up-to-date consent letter from the owner of the Property should I request the City's authorization for the Business to use the Expansion Area for sidewalk dining following the City's termination of its authorization.

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Sidewalk Dining Applicant Signature

Print Name/ Date

**Property Owner Acknowledgment** *(to be filled out by consenting owner of the Property or authorized representative)*

I, \_\_\_\_\_, represent that I am the owner of the Property listed below ("Property Owner").

I, \_\_\_\_\_, represent that I am an agent authorized to grant this consent on behalf of \_\_\_\_\_, the Owner of the Property listed below.

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Property Address

I consent to allow the Business, identified above in the "Applicant Acknowledgement" section, to use the Expansion Area to provide outdoor dining services.

I represent that I am not prohibited by any lease or rental agreement from granting this consent.

I understand that the Property Owner may revoke this consent, at any time, with 30 days' prior written notice to Applicant or Business identified above in the "Applicant Acknowledgement" section. For such revocation to become effective, the Property Owner must provide a copy of the written revocation notice to the City of Santa Monica, Economic Development Department, via email communication at [econdev@santamonica.gov](mailto:econdev@santamonica.gov), or by certified mail to 1685 Main Street, Mail Stop 12, Santa Monica, CA 9040, no later than **five** calendar days after the Property Owner's delivery of the written revocation notice to Applicant or Business.

I understand and agree that, following the City's receipt of a copy of the written revocation notice, the City will terminate Business' authorization to use the Expansion Area for outdoor dining upon 30 days' prior written notice to Applicant or Business.

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Property Owner/Authorized Agent Signature

Print Name

Date