

Downtown Sidewalk Encroachment Permit Program

Renewal Reminder

The following document is for guidance purposes only. The applicant shall read and understand the relevant references listed below.

Below is a description of the permit review process, followed by applicant and City actions needed to move the process forward. This document also includes relevant references.

Description

What is the Downtown Sidewalk Encroachment Permit Program?

A Downtown Sidewalk Encroachment Permit is required for all encroachments on the sidewalk in the downtown area. The permits for this calendar year will expire on December 31st. If you wish to renew your permit for the next calendar year please go to the link on the City's development review webpage <https://www.bozeman.net/services/development-center> and fill out the online form for the Downtown Sidewalk Encroachment Permit. Make sure to include all the submittal checklist items below that pertain to the proposed encroachment.

When does this take place? The beginning of each calendar year.

Applicant Actions

Submittal Requirements (all items must be submitted annually, or the application will be returned as incomplete):

- Signed Notification Letter that was emailed to you after submitting your application through ProjectDox.
- A sketch or photo of the encroachments showing their location on the sidewalk. (Must include the size and dimensions of the encroachment and other existing obstructions or improvements on the sidewalk (trash cans, light fixtures, sculptures, bike racks, trees, etc.).
- Copy of a current City of Bozeman business license.
- A certificate of liability insurance with coverage of \$1 million per occurrence with a \$2 million general aggregate (or \$1.5 million per occurrence and a minimum coverage of \$750,000 for each claim).
- Must name the City of Bozeman as additional insured.
- Must name the State of Montana as additional insured if the encroachment will be placed on Main Street or Rouse Avenue.
- A copy of food purveyor's license or approval statement issued by the Gallatin City-County Health Dept. (Only applicable if serving food or beverages outside of a licensed restaurant).
- A letter of support from the owner, operator, or manager of the business immediately adjacent to the sidewalk where the use is requested. (Not applicable if encroachment will be placed adjacent to applicant's business).

City Actions

- The City will pre-screen the submittal to ensure the applicant has provided a complete package and uploaded files.
- After a successful completion of the pre-screen, the Public Works Office Manager will review the submittal for conformance with the submittal checklist. If corrections are required or missing documents, the submittal will be returned to the applicant.
- Once the Public Works Office Manager deems the application approved, an approval letter will be uploaded in the decisions folder in ProjectDox and the applicant will receive an email stating the approval letter is available in the decisions folder in ProjectDox.

Relevant References

[Example of General Liability Insurance](#)

Filing and Naming Criteria

The software has underlying features that do not work if these requirements are not fulfilled. Projects not complying with this section will not proceed beyond prescreen and will be returned to the applicant to correct.

Documents Folder

- Upload all documents and other supporting documents in the Documents Folder
- Documents may be any size
- Documents may be scans if they are legible.
- File names shall meet the following criteria:
 - The software won't accept file names exceeding 30 characters.
 - The file name shall start with a 3-digit number beginning with "001"
 - The name shall also include a brief description of the content of the file.

Example of file naming standards:

Sheet Description	ProjectDox File Name
Signed Notification Letter	001 Notification Letter
Sketch of Encroachment	002 Sketch
Business License	003 Business License
Liability Insurance	004 Liability Insurance
Food Purveyor's License (If Applicable)	005 Food Purveyor's License
Letter of Support (If Applicable)	006 Letter of Support

Revisions / Resubmittals

New versions of previously submitted files must use the exact same name as the original file. The software will **version the file**.

If you do not wish to renew, please contact our office so we can deactivate your permit.

For questions or changes to your permit, please call 406-582-2273, or email Marcy Yeykal, Public Works Office Manager at myeykal@bozeman.net.

Sidewalk Encroachment Permit – FAQ

The City's Downtown Sidewalk Encroachment Permit Program allows downtown businesses to utilize the sidewalks in front of their businesses for advertising, special events, beatification, and other purposes. This program was created to develop a fair and equitable program that will enhance the overall appearance, ambiance and environment of the downtown business district. It was updated in November 2019 to better ensure that downtown remains accessible to pedestrians. A permit is required prior to placing any encroachments on the sidewalk.

Several significant changes were made to the program. The City created 3 sidewalk zones: the furnishing zone, the pedestrian zone, and the frontage zone. These zones distinguish the locations on the sidewalk where certain activities/encroachments can take place. The frontage zone, the location closest to the building, is where business encroachments are permitted. The size of this zone will vary based on what encroachments exist in the furnishing zone, the area closest to the curb. See the FAQs below for more information on these zones.

Other changes to the program include the creation of a corner triangle area at intersections. Encroachments are not permitted within this area so as to keep pedestrian ramps in compliance with the Americans with Disabilities Act. This update also requires that fenced cafe seating areas be removed from the sidewalks between November 1 and April 1.

1. WHERE ARE DOWNTOWN SIDEWALK ENCROACHMENTS PERMITS REQUIRED?

- A. Downtown Sidewalk Encroachment Permits are required within the Downtown Business District in the B-3 zoning district on or between the north side of Lamme and the south side of Olive, and the east side of Broadway and the west side of 3rd.



2. WHAT TYPE OF ENCROACHMENTS ARE ALLOWED?

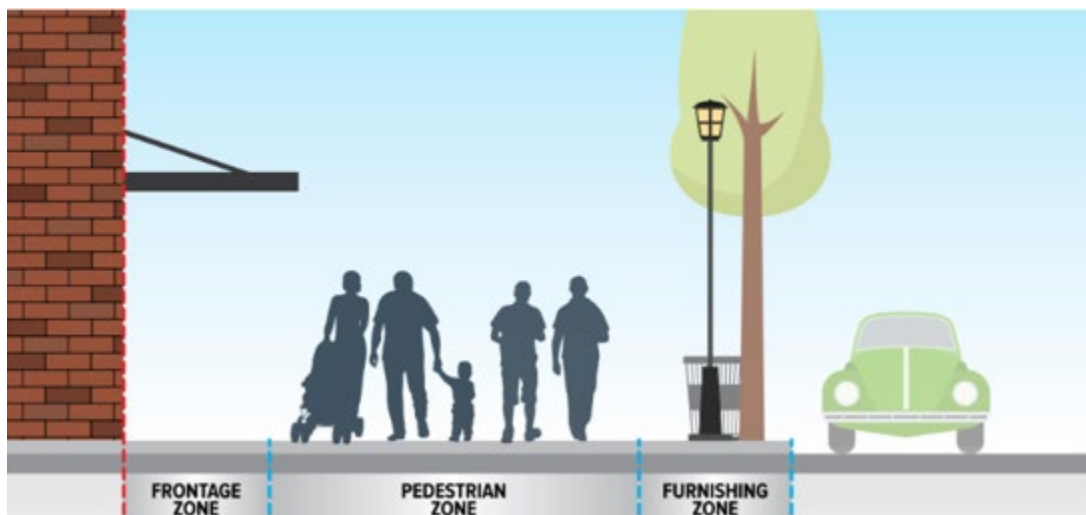
- A. Permitted encroachments include:
- Portable Signs (Sandwich board signs)
 - Sidewalk Displays
 - Bike Racks
 - Sidewalk Vending Carts
 - Tables and Chairs
 - Planter Boxes or Hanging Pots
 - Newspaper Dispensers
 - Miscellaneous Items
 - Fenced Café Seating Areas: These are permitted under and Exclusive Use Permit.

3. WILL THIS PERMIT ALLOW ME TO PLACE PORTABLE SIGNS OUTSIDE OF THE DOWNTOWN AREA?

- A. No. Portable signs are prohibited in Bozeman with the exception of the downtown business district as defined in Section 34.05.020 of the Bozeman Municipal Code.

4. WHERE CAN ENCROACHMENTS BE PLACED

- A. Encroachments can be placed in the frontage zone only with the exception of bike racks which are allowed in the furnishing zone as well. The width of the frontage zone will vary based on the encroachments in the furnishing zone. Business owners can determine this width by measuring 6' from the innermost encroachment within the furnishing zone. The 6' zone is the pedestrian zone where encroachments are not permitted. The remaining space between the pedestrian zone and the front of the building is the frontage zone. Encroachments are not permitted in the corner triangle areas at the intersections. For more information on the corner triangle areas, visit FAQ #6 related to those areas.

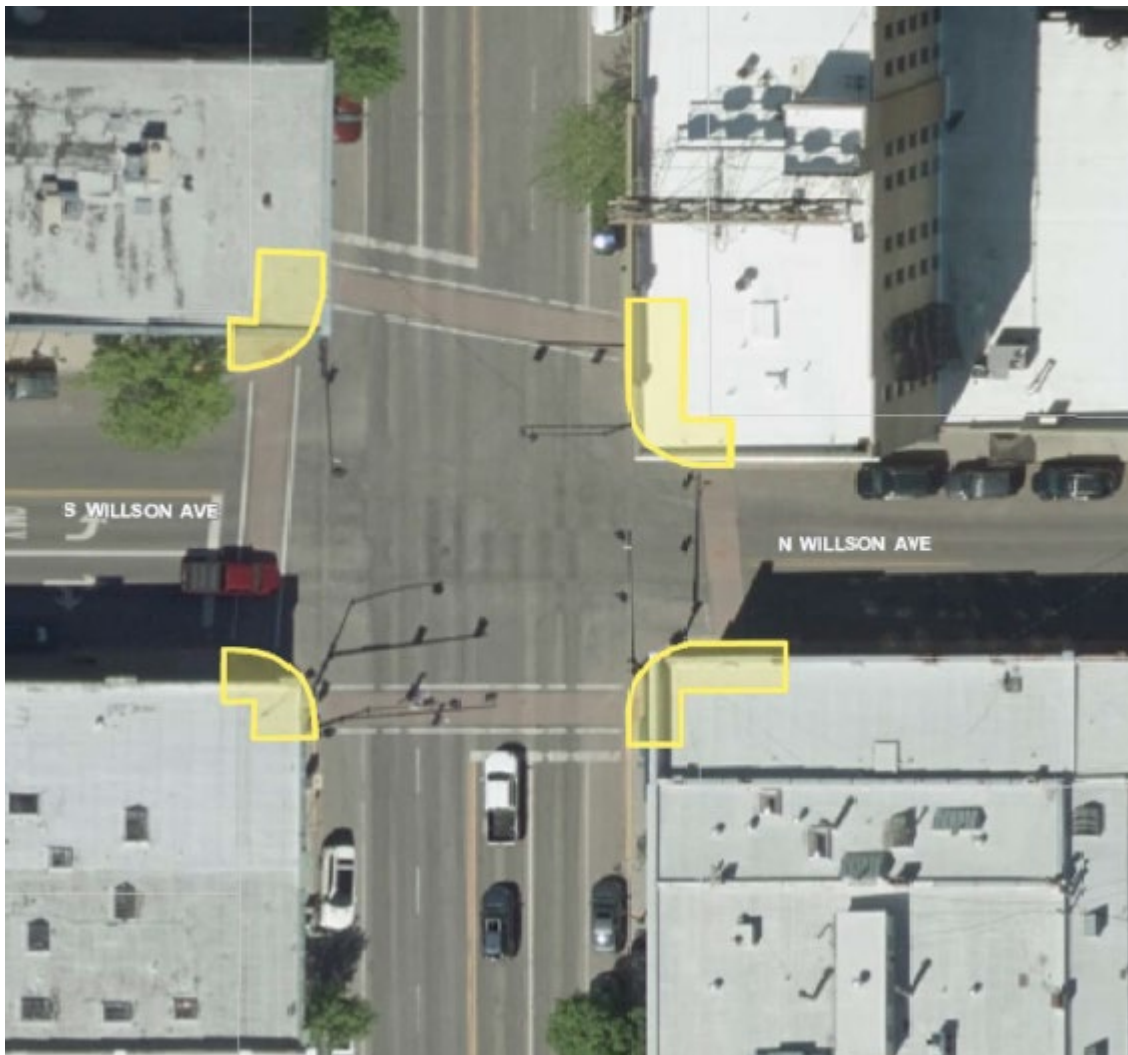


5. CAN I PUT A SANDWICH BOARD SIGN IN FRONT OF A LOCATION OTHER THAN IN FRONT OF MY BUSINESS?

- A. Sandwich board signs can be placed in front of other businesses. In addition to the supplementary information you will provide with your application, you will also need to provide a letter of approval from the owner or manager of the business your sign will be placed in front of. Signs must be placed adjacent to the building in the frontage zone and they are **NOT** permitted in the corner triangle area.

6. WHAT IS THE CORNER TRIANGLE AREA?

- A. Sidewalk area at street intersections from each building face to where the sidewalk curb meets each of the two crosswalks that contain the accessible ramps at the intersection and the sidewalk area in between the two crosswalks. (Example of triangle area below)



7. WHAT ARE THE REGULATIONS FOR MOBILE VENDING CARTS

- Mobile vending carts are permitted on Main, Mendenhall, And Babcock Streets only.
- Only one cart is allowed per block face.
- Carts may not be more than 3' wide.
- Carts must be placed within the frontage zone only and may not encroach into the pedestrian zone.
- Carts are not permitted within the corner triangle area at intersections.
- All signage must be attached to the cart and may not exceed 6' in length.
- Carts must comply with all regulations in the mobile vending [ordinance](#).
- Cart owners must submit written permission from the adjacent business owner or manager to the location where they are proposing to place their cart.