



Willard Hicks

Operational Requirements

4.1



Rinse out and clean debris from the area under their structure at least once a week.



Maintain the quiet, safety, and cleanliness of the sidewalk and parking lane space adjacent to parklet area.



Responsible for removing any structures when the Outdoor Dining Permit expires, or when participation in the program is no longer active.



If a parklet changes ownership, the permit holder will remove the parklet or transfer it to the new owner. A transfer requires the new operator to submit a new permit.



Maintain that the outdoor area is safe and free of trash, debris, graffiti at all times.



Noise levels comply with the permitted sound levels of the adjacent use.



All outdoor dining areas should promote a smoke-free and vape-free environment in accordance with state and local laws.



Ensure that the space occupied and the services offered under the permit comply with health guidelines, adhere to all accessibility laws and do not interfere with emergency responders' access.



Provide and maintain access to the City infrastructure.



Failure to properly and sufficiently maintain the cleanliness, safety, and accessibility of a parklet may be subject to violations and fines. If maintenance issues are not resolved, parklet operators may be required to remove the parklet at their own expense.

Permit Checklist

4.2

When all locational, design and operational requirements are met, the application is reviewed by the applicable City department.

	Public Sidewalk	Private Sidewalk	Public Parklet	Private Parklet
Encroachment Permit	X		X	
Zoning Clearance				X
Annual Rental Fee (waived in 2023)			X	
Property Owner Approval	X	X	X	X
Insurance	X		X	
Security Deposit (refundable)			X	
10-Day Posting			X	
Comply with Private Outdoor Dining Ordinance		X		X
Fire Permit *only if heaters included	X	X	X	X
Administrative Use Permit *if required by design				X

Permit Cost 4.2

When all locational, design and operational requirements are met, the application is reviewed by the applicable City department.

	Public Sidewalk	Private Sidewalk	Public Parklet	Private Parklet
Encroachment Permit	\$716.10/ 3 years		\$716.10/ 7 years	
Zoning Clearance				\$250/ one-time
Annual Rental Fee (waived in 2023)			\$1000/ yearly	
Property Owner Approval	X	X	X	X
Insurance	X		X	
Security Deposit (refundable)			\$1000/ one-time	
10-Day Posting			X	
Comply with Private Outdoor Dining Ordinance		X		X
Fire Permit *only if heaters included	X	X	X	X
Administrative Use Permit *if required by design				\$1500/ one-time

Public Sidewalk Café Permit Process 4.2

STEP 1

Outdoor Dining Application

Preliminary Application
Dimensional Site Plan
Proof of Insurance
Property Owner approval

Submit

Upload and Submit
econdev@morganhill.ca.gov

STEP 2

Food & Beverage

Obtain Health Department Permit
Obtain ABC Permit

APPROVAL

Respond to requests for additional
information
Receive City approval notice

STEP 3

Fees

Encroachment Permit
Encroachment Fee

Submit

Upload and Submit
econdev@morganhill.ca.gov

Public Parklet Permit Process 4.2

STEP 1

Outdoor Dining Application

Preliminary Application
Dimensional Site Plan
Proof of Insurance
Property Owner approval

Submit

Upload and Submit
econdev@morganhill.ca.gov

STEP 2

Food & Beverage

Obtain Health Department
Permit
Obtain ABC Permit

APPROVAL

Respond to requests for
additional information
Receive City approval notice

STEP 3

Fees

Encroachment Permit
Encroachment Fee
Security Deposit

Submit

Upload and Submit
econdev@morganhill.ca.gov

Noticing

10-day notice to the public
posted in business window

Private Parklet Permit Process 4.2

STEP 1

Outdoor Dining Application

Preliminary Application
Dimensional Site Plan
Proof of Insurance
Property Owner approval

Submit

Upload and Submit
econdev@morganhill.ca.gov

STEP 2

Food & Beverage

Obtain Health Department
Permit
Obtain ABC Permit

APPROVAL

Respond to requests for
additional information
Receive City approval notice

STEP 3

Fees

Zoning Clearance or
Administrative Use Permit

Submit

Upload and Submit
econdev@morganhill.ca.gov

Code Enforcement

4.3



Live Entertainment Permit

- Issued by the Morgan Hill Police Department
- Active for one-year
- Enforcement begins May 1, 2022



Encroachment Permit Fees

- Sidewalk Dining \$716.10 every 3 years
- Parklet Dining \$716.10 every 7 years
- Enforcement begins January 1, 2023



Signage Ordinance

- Temporary signage is 3 days, 30 days or 3 months depending on sign type and material
- Pole, roof, portable and a-frame signs are not allowed
- Enforcement begins January 1, 2023



Building Code

- Code enforcement resumes
- Al Fresco expires December 31, 2022
- Enforcement with fines begins January 31, 2023



Food Trucks

- Must have a Morgan Hill Business License
- Obtain a California Seller's Permit
- Obtain a Santa Clara County Health Permit
- Occupy a location approved in the Mobile Vendor, Peddler and Solicitor Trifold
- Enforcement begins January 1, 2023