



City of Commerce City

7887 E. 60th Ave., Commerce City, Colorado 80022 (303) 227-8794

REVOCABLE RIGHT-OF-WAY LICENSE APPLICATION

Date: _____ Type of Request: _____

Have you already applied for an Outdoor Service Permit? Yes ____ No ____

Location of Property/Business Name: _____

Address: (street) _____ (city) _____ (state) _____ (zip) _____

Does encroachment presently exist? Circle one: (Yes) (No) If yes, since what date? _____

Applicant Name: _____

Address: (street) _____ (city) _____ (state) _____ (zip) _____

Home Phone: _____ Work Phone: _____ Fax: _____

Property Owner Name: _____

Address: (street) _____ (city) _____ (state) _____ (zip) _____

Home Phone: _____ Work Phone: _____ Fax: _____

The undersigned agrees to comply with the terms and requirements of the City Commerce City established for a revocable permit. Furthermore, the undersigned fully understands and agrees that the City may revoke the permit without cause if granted. Before issuance of the permit, the undersigned shall pay all required fees and furnish a Certificate of Insurance equal to the amount shown in application requirements. Should the permit be revoked, the undersigned shall have five (5) days to remove all encroachments within right-of-way and return the area to the original condition.

APPLICATIONS CAN BE SUBMITTED VIA C3GOV.COM/eTRAKIT OR IN PERSON. PLEASE ALLOW TWO (2) WEEKS FOR THE REVIEW OF THIS APPLICATION.

Applicant's Signature: _____

FOR CITY USE ONLY: (Please initial/date upon your review)	
Approved on _____	Denied on _____
Reason(s) for Denial _____	

ROW License Approval Criteria

- An Outdoor Service Permit has been approved and conditioned upon the issuance of an ROW license.
- The outdoor service area does not destroy or impair access by the City, public utilities, or other entities having access rights or interests within the right-of-way
- The encroachment is located in portions of the public right-of-way or public easement that are designated by the City Manager that balance the desire for outdoor dining while not adversely impacting the delivery, maintenance, or use of municipal services; public safety; accessibility to transportation amenities; general public health, safety, and welfare.
- The applicant has entered into an agreement acceptable to the City Manager to indemnify, defend, and hold harmless, the City with regard to the outdoor service area and all activities therein including an indemnification from any premises liability for the outdoor service area.

ROW License Standards

- The right-of-way license shall be for an indefinite term;
- The right-of-way license shall be revocable at will;
- The right-of-way license shall not be transferred or assigned; and
- The right-of-way license does not create any property interest or vested right in favor of the recipient, any associated land owner, business owner, or third party.

Approval Process

- Application is submitted to the City's Public Works Department for review.
- The application shall be reviewed by City Staff for compliance to the requirements set forth for a revocable permit.
- The application will be approved or denied based upon compliance with the requirements set forth herein.
 - For seating areas in the right-of-way that propose to serve alcohol, a revision to the liquor license of the establishment must be approved by the Liquor Licensing Authority prior to constructing any encroachment in the right-of-way. A revocable permit will be issued conditionally to the applicant so the premises can be revised in the liquor license.
- A license will issued to the business owner within seven (7) days of the applications approval. All original documents shall be maintained by the Office of the City Clerk.