



Press Release – June 8, 2021

Is A Permit Required To Perform Construction Work In, Or To Be Able To Use Public Right-of-Way Areas?

When property owners, contractors or utility companies perform any type of construction activity within public right of way areas, the City of Yucaipa's Public Works Division requires the entity wishing to complete this activity in public right-of-way areas to obtain an encroachment permit. The purpose of the encroachment permit is to enable the City to monitor activity to ensure the safety of the public, protect the interest of property/business owners with respect to risk and liability concerns; and ensure the public right of way areas are accessible and available for the general public. The issuance of the permit by the City also assures that the work or activities performed in the right-of-way areas are done in accordance with applicable local, state and federal codes and requirements.

Besides construction work in the public right of way, the City also allows the use of sidewalk areas in the public right of way to be used for dining areas in certain areas of the City. Sidewalk dining is an effective method to create active streetscapes, enhance economic and social vitality, and promote pedestrian and retail friendly activity in historic and central business districts. The City's vision for the community has included recognition of these benefits, and prior City projects in the Historic Uptown areas included implementing streetscape designs that would be conducive to outdoor dining, including the creation of large sidewalk areas that would provide the space necessary to facilitate this activity.

Under the current permitting process for outdoor dining opportunities in the Uptown area, an annual Encroachment Permit is required to be obtained from Public Works. For the Uptown area, two key elements are a part of the required encroachment permit for sidewalk dining. One is to ensure that liability insurance is up to date and is on file in order to protect the residents of Yucaipa against possible actions brought up against the City related to use of rights-of-way. The second is to evaluate the proposed layout of the dining area. This design includes a general assessment of the dining features that are used and that they harmonious with the character of the area, and to also ensure that compliance with ADA standards and state law, and clearances are met and sustained for pedestrian accessibility. This clearance is achieved by the following provisions: sidewalk dining area should be a minimum of five (5) feet from the street curb and a minimum of four (4) feet from any obstruction such as streetlights or benches to safely allow pedestrians to walk in the Uptown area.

The City encourages sidewalk dining in certain areas and supports the use of the sidewalk area to provide for a more vibrant and active environment. The City also has other types of permits for the use of public right-of-way by property owners and residents, including temporary use permits and special event permits. If you would like more information regarding the use of the public right-of-way, please contact the City of Yucaipa at (909) 797-2489 or visit the City's website at www.yucaipa.org. The permit process for the use of the public right-of-way, including sidewalk

dining, is an important effort designed to keep patrons and pedestrians safe, and work to minimize the potential liability to business and property owners.