

**APPLICATION FOR ENCROACHMENT PERMIT**

(to be completed by applicant)

BOBBIE BRATTON, the Owner ~~Lessee~~ of the property located at 3646 SEVENTH STREET in the City of Riverside, Assessors Parcel No. 213-271-002 hereby requests permission to PLACE A BARBECUE (SMOKER), IN ACCORDANCE WITH THE COUNCIL ACTION OF 4/27/93, LIMITING THE TERM OF THIS PERMIT TO COMPLETION OF THE DOWNTOWN ZONING STUDY, in the public right of way of SEVENTH STREET /~~or~~ the ~~\_\_\_\_\_~~ easement at the ~~\_\_\_\_\_~~ rear/~~\_\_\_\_\_~~ side/~~\_\_\_\_\_~~ front of said property. The attached drawing shows the requested encroachment. Upon issuance of this permit, I agree to comply with the attached terms and conditions.

Date 5-10-93

Bobbie Bratton

**ENCROACHMENT PERMIT APPROVAL**

(to be completed by City)

This permit shall become effective upon the approval of the Departments listed below. Issuance of this permit shall not be construed as a waiver of any other applicable permit or requirement, but is only revocable permission to use the land for the purpose described.

- N/A Public Utilities Water \_\_\_\_\_
- N/A Public Utilities Electric \_\_\_\_\_
- X Planning Craig Aaron 5-19-93
- X Parks and Recreation Tony Nelson
- \_\_\_\_\_ (other) \_\_\_\_\_
- \_\_\_\_\_ (other) \_\_\_\_\_

Upon obtaining the above signatures, return this permit to the Public Works Department for final approval.

Date 5/27/93

Barry Bell  
Public Works Director

Encroachment Permit No. E-1242

TERMS AND CONDITIONS

The following indicated terms and conditions apply to encroachment permit no. E-1242.

1. Permittee acknowledges that the area of encroachment is owned or controlled by the City of Riverside.
2. Permittee acknowledges that the described property could be needed for a proposed or planned public improvement and the City may revoke this permit. Upon written notice of revocation, the permittee shall, within the time prescribed by the City, remove all improvements placed, constructed or maintained. If the permittee fails to abide by the removal order of the City, the City shall have the right to remove and destroy the improvements without reimbursement to the permittee. The cost of such removal shall be paid by the permittee to the City and shall constitute a debt owed to the City.
3. Permittee waives the right of claim, loss, damage or action against the City resulting from revocation, termination, removal of improvements or any action of the City, its officers, agents or employees taken in accordance with the terms herein.
4. If the City Council of the City of Riverside finds that the permittee is in default of the terms of this permit, that shall be cause for revocation.
5. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims demands, costs, losses, damages, injuries, actions for damages and/or injuries, and liability in connection with the construction, encroachment, and/or maintenance to be done by permittee within the described property.
6. Prior to any construction taking place on City controlled property, permittee shall obtain a Construction Permit or Street Opening Permit from the City Public Works Department.
7. The permittee agrees to insure that construction of their improvements will not interfere in any way with existing City or utility facilities. The existing facilities will require future maintenance, reconstruction and revisions and facilities may be added, any of which may result in removal or alteration of the permittee's improvements without

reimbursement to the permittee. Prior to construction, Permittee shall contact Underground Service Alert to field locate existing utility lines. Any conflicts discovered will void the permit until acceptable revisions are made.

8. Other Applicant shall not violate any health conditions by draining oils or fats in public areas. Also, no NON-biodegradable materials shall be drained into the tree well which may cause damage to the tree roots and contaminate the soil.



CITY OF RIVERSIDE  
CITY COUNCIL MEMORANDUM



PUBLIC WORKS DEPT.			
	INITIAL	INFO	ACTION DATE
DIRECTOR			
DEPUTY-ENGR			
ADM ASST			
SR AA			
SEWER PLANT			
SOLID WASTE			
STREETS			
TRAF ENGR	SPK		✓
CODE ENF			
CAP PROJ			
LAND DEV	SPK		✓
SVY/L SVC			
INSPECTION			
SPEC PROJ			
CLERICAL			
ASSMT ENGR			
FILE Encroachment Permit			
X-REF			
FU DATE			

CITY COUNCIL

DATE: April 27, 1993

ITEM NO.: 42

PERMIT FOR GRAM'S MISSION BARBECUE

Barbecue has installed a large smoker on the sidewalk at 3646 Seventh Street. The sidewalk is only 17 feet wide so that the smoker does not fit. Jacket insulation prevents the surface from getting too hot for passersby. It does emit cooking odors and is in conflict with the City's zoning regulations regarding outdoor cooking and violates regulations regarding structures on City right-of-way without

regarding compliance of the zoning violation on the sidewalk. Since there has been considerable but not enough to allow the smoker to remain. City staff should be allowed.

That the issue be addressed as part of the study that is being done by the Planning Department to review allowable commercial activity in the Downtown area. This study is expected to take approximately 9 months to complete. Upon completion of the study, the City would determine whether the Gram's Mission Barbecue smoker is compatible with any new land use guidelines. Until then, staff recommends that Gram's be given an encroachment permit allowing the smoker to remain until further City Council action.

Fiscal Impact:

None.

Alternatives:

Because the smoker is illegally located outdoors and on City right-of-way, the City could order its immediate removal. Another alternative would be to allow the smoker to remain on the sidewalk indefinitely.

RECOMMENDATION:

That the City Council approve the issuance of a temporary encroachment permit for the Gram's Mission Barbecue smoker and that the City Council, upon completion of the Downtown zoning study, again address whether the smoker will be allowed to remain on the sidewalk.

Permit Applied For. &

Scott - Would you  
put this with  
our copy of the  
permit

5/20/03 George A

CITY OF RIVERSIDE

COUNCILMEMBERS

4/27/03

L O V E R I D G E	C L A R K E	D E F E N B A U G H	T A V A G L I O N E	C L I F F O R D	T H O M P S O N	P E A R S O N
	X				X	

ENCROACHMENT PERMIT FOR GRAM'S MISSION BARBECUE - 3646 SEVENTH  
A written report was submitted from the City Manager and the  
Public Works Director, concurred in by the Assistant City Man-  
ager-Development and the Planning Director, recommending that  
the City Council (1) approve the issuance of a temporary en-  
croachment permit for the Gram's Mission Barbecue smoker lo-  
cated on the sidewalk in front of the business at 3646 Seventh  
Street; and (2) upon completion of the Downtown Zoning Study,  
again address whether the smoker will be allowed to remain on  
the sidewalk. The Public Works Director discussed the recom-  
mendations and answered questions from the City Council. Fol-  
lowing discussion, the recommendations were approved as pre-  
sented.

Motion  
Second  
All Ayes