



**Planning & Community Development Dept.**  
**Planning Division**  
 550 Landa Street  
 New Braunfels, Texas 78130  
 (830) 221-4050 [www.nbtexas.org](http://www.nbtexas.org)

CC/Cash/Check No.: _____ Amount Recd. \$ _____ Receipt No.: _____ Case No: _____  <p style="text-align: right;"><i>Submittal date – office use only</i></p>
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## APPLICATION FOR A SIDEWALK PERMIT

**FEE: \$10.00 New Request; \$5.00 Renewal**

**It shall be unlawful for any person to sell any services, item or merchandise from the sidewalk right-of-way without first obtaining a permit from the city.**

**1. APPLICANT INFORMATION:**

**Business Name:** \_\_\_\_\_

**Contact Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City/State/ZIP:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**2. PROPERTY OWNER:**

**Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**3. DISPLAY AREA:**

**Street Address:** \_\_\_\_\_

**4. INTENDED USE OF RIGHT-OF-WAY: Check all that apply**

**Merchandise:**

Daily       Overnight

**Furniture & Fixture:**

Daily       Overnight

**5. DESCRIPTION:**

Please describe in detail the materials, quality, construction and maintenance of items to be displayed, including the size of price tags and how the items to be displayed are consistent with the quality of merchandise represented by the business on a regular basis. *(May use additional sheets).*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**6. APPLICANT CERTIFICATION:**

**I certify that the information submitted for review is accurate and complete.**

**Applicant Signature:** \_\_\_\_\_

## **SUBMITTAL CHECKLIST:**

STAFF:
<input type="checkbox"/>
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### APPLICANT:

Completed application

**Please note:** Any application that is missing information will be considered incomplete and cannot be accepted.

Fee

Photo of business/store front

Site Plan showing the following:

**Please note:** The drawing does not need to be to scale, but distances and dimensions must be correct. Inaccurate or non-legible site plans can result in a delay with the application review. **See page 3 for an example.**

Dimensions of the display area

Merchandise, furniture or fixtures to be located in the display area (labeled)

**Please note:** *Policies and Procedures* on page 4 of this application outlines the evaluation criteria. **It is important to review the criteria when submitting the application** to ensure the conformance with the standards and therefore providing a prompt turnaround time on application review.

Infrastructure/obstructions such as utility poles, waste baskets, etc.

Distance from the **closest street corner** to the **display area** (*if applicable*)

Distance from the **back of the curb** to the **display area**

**Please note:**

1. The curb line is defined as the back of the curb.

2. It shall be lawful for any sidewalk permit holder to utilize the public sidewalk right-of-way within **lesser of six feet (6) from the building or 40% of the distance between the building and curb line.**

3. It shall be **unlawful for any person to place obstructions of any kind within five feet (5') of the curb line.**

Compliance with the ***Americans with Disabilities Act***

**Please note:**

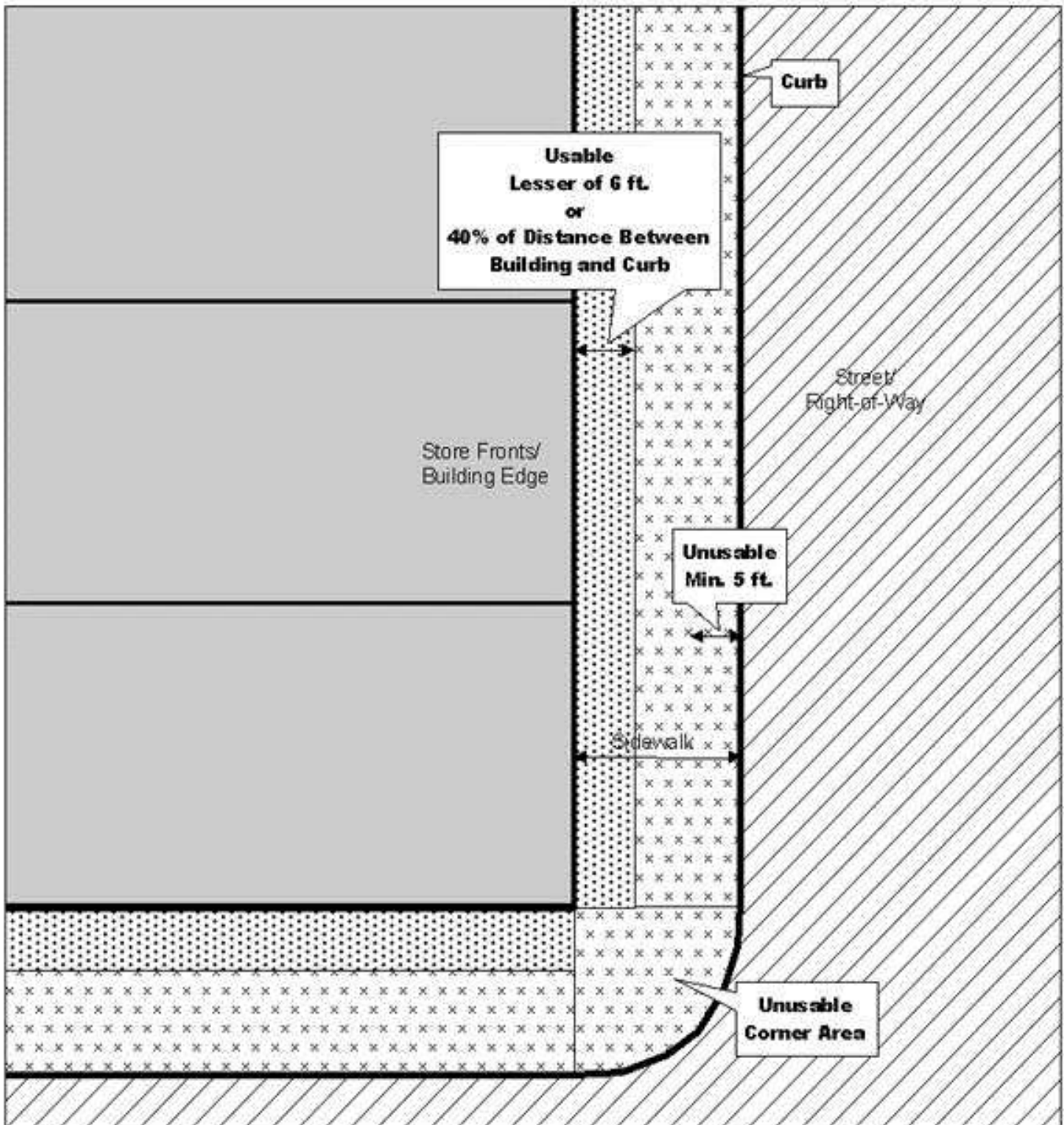
1. At no time shall there be any less than thirty-six-inch (36") pedestrian pathway between any two obstructions.

2. The area must be passable by a wheelchair.

***Should you have any questions while completing an item listed in the checklist above, please contact the Planning Division at (830) 221-4050 for assistance.***

**KEEP THIS SECTION FOR YOUR RECORDS**

**EXHIBIT B  
USABLE DOWNTOWN  
SIDEWALK AREA**



**Liability Clause:** An injury or damage occasioned or inflicted upon any person by an item or merchandise placed on the sidewalk right-of-way, shall place primary liability for any loss or damage upon the owner, occupant or use of such property, regardless of whether a valid permit was obtained from the City.

**The City of New Braunfels Code of Ordinance, Section 114-4 an 114-5, Subsection (e), parts 2 through 5 states:**

- (2) It shall be lawful for any sidewalk permit holder to utilize the public sidewalk right-of-way within lesser of six feet (6) from the building or 40% of the distance between the building and curb line.
- (3) It shall be unlawful for any person to place obstructions of any kind at any corner within the area identified by drawing lines 90 degrees from building corner to the curb line. The curb line shall be defined as the back of the curb.
- (4) It shall be unlawful for any person to place obstructions of any kind within five feet (5') of the curb line.
- (5) All uses of public space must comply with the *American with Disabilities Act*. At no time shall there be any less than thirty-six-inch (36") pedestrian pathway between any two obstructions. The area must be passable by a wheelchair.

**It shall be unlawful for any person to sell any services, item or merchandise from the sidewalk right-of-way without first obtaining a permit from the city.**

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**Applications are reviewed using the *Criteria for Evaluation* which includes such phrases as:**

- “encourages the highest standards of aesthetic presentation in the downtown area”
- “enhance the beauty of the City”
- “enhance the economic vitality of business areas, and beautify our Community”
- “enhance the quality of life while preserving the desirable aesthetic feature of the Downtown Business Corridor”.

***Policies and Procedures developed under this ordinance specify the evaluation criteria.* It includes, but is *not limited to*, the following:**

- Artificial plants [are to be] of a quality material and maintained in good condition
- Real plants [are to be] weeded and maintained in good condition
- Planters [are to be] made of acceptable material and maintained in appropriate condition
- Benches, chairs, tables, umbrellas, barrels, trash receptacles, bike racks and other fixtures to be used by customers and other visitors [must be] made of acceptable quality, substantial construction and maintained in good condition.
- Prices [must not] exceed standard business card size (3.5”\*2”)
- Tastefully displayed merchandise consistent with quality of merchandise represented by the business on a regular basis.
- Sidewalk signs [must be] no larger than 8 square feet per face and no taller than 4 feet, [must not] exceed in number (1) per building street frontage as determined by the committee. Sign placement may not be attached to any permanent structure or in the ground or brickwork.
- News racks – there [must be] no more than one (a) rack per building except for cluster of racks, a cluster of racks must not have more than six (6) racks within a 500 linear feet measured parallel to the street on the same side of the street and clusters [must be] no more than six (6). The material in the rack must be covered or contained in such way that it cannot be blown out of the rack or container. New racks permitted in clusters must be uniform in color and shape and must be accompanied with additional beautification items such as planters or street furniture, as approved by the Main Street manager.

***Please note:*** This process does not address weeds, banners, billboards, or flags. Such permits are issued under Chapter 106 of the New Braunfels Code of Ordinances and are the responsibility of the business or property owner using such a device. Further, businesses located outside the business corridor are bound by existing citywide ordinances in section 114.