



Sidewalk Café Permit Application

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Office of the City Clerk

7725 W. North Avenue Wauwatosa, WI 53213 (414) 479-8917

**License valid from July 1, 20____ to June 30, 20____

Business Name: Applicant Name:	Address:
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Business Operations

1. Sidewalk Café Facility will operate from: Start Date: _____ to End Date: _____
2. Have you been approved for outdoor dining under the zoning code? Yes No
3. Do you intend to serve alcohol in the outdoor area? Yes No Alcohol License # _____
4. Is the sidewalk café area included in the "licensed premises" described on your alcohol beverage license? Yes No
If not, have you applied? Yes No
5. Sidewalk Café Square Feet (# of square feet in the public right-of-way) : _____ sq. ft.

Property Owner

Check one: Applicant owns the property

Property owner's information/signature provided below (REQUIRED):

Name: _____ Phone # _____

Address: _____

Property Owner's Signature: _____

Additional Forms

- Detailed Floor Plan
- Plan of Operation
- Certificate of Insurance (needs to be submitted before license will be issued)

Signature on the following page is required

Signature

Indemnification. Sidewalk café permit holder acknowledges that it shall indemnify, defend and hold harmless the City of Wauwatosa and its elected officials, officers, board members, commissioners, employees, agents, representatives, departments, agencies, council members, and contractors from and against any and all actions, claims, costs, damages, demands, expenses (including reasonable attorney fees and other costs and expenses of litigation) fines, judgments, losses and penalties, and shall be solely liable for any and all damages to persons or property for losses related to or arising under the granting of the permit and using the public right of way.

I hereby certify that I have read the ordinance, rules, and other relevant information as set forth in the Wauwatosa Municipal Code regarding sidewalk cafes and agree to comply, as well as with directions of City Officials, and further understand that failure to do so may result in revocation of such permit and/or the inability to renew in future years.

Signature of Applicant: _____

Office Use Only:

Initials _____ Filed _____ Lic # _____ Date issued: _____

Fees:

- \$100 Initial application fee
- \$ _____ Total area fee

Initial Approval by BPW: _____, 20____

Notification sent to: Aids. of District Common Council President

Email for Approval to: DPW Planning Dept. City Attorney Police Dept.



SIDEWALK CAFE PERMIT INFORMATION

Office of the City Clerk

7725 W. North Avenue Wauwatosa, WI 53213 (414) 479-8917

Who needs a Sidewalk Cafe Permit?

A restaurant or alcoholic beverage establishment who provides outside space in the public right of way for customers to consume food or beverages.

Definitions

- A "Sidewalk Cafe" shall mean an open air space located in the public right of way and created for the purpose of consuming food or beverages prepared on adjacent or nearby private property.
- "Establishment" shall mean the entire business establishment associated with operation of the proposed sidewalk cafe, including all indoor dining facilities, non-public areas used for operations, and proposed sidewalk cafe areas.
- "Premises" shall mean the public dining areas associated with the Establishment, and may be distinguished for purposes of this section between "Indoor Premises" which are the indoor seating and service areas, "Outdoor Premises" which shall be comprised of existing and proposed outdoor seating areas, and "Sidewalk Cafe" which is that portion of outdoor seating area proposed to be located in the public right of way

License Period

July 1st through June 30th. Applications are due by April 30th.

Fee:

New Application Fee:	\$100
Renewal Fees (per square foot)	
a. Class 1: 0-100 total area:	\$25
b. Class 2: 101-200 total area:	\$50
c. Class 3: 201-300 total area:	\$75
d. Class 4: 301-400 total area:	\$100
e. Class 5: 401-500 total area:	\$150
f. Class 6: 501 or greater total area:	\$225

Submittals Needed

- Sidewalk Cafe Permit Application
- Plan of Operation (see instructions on this page)
- Detailed Floor Plan (see instructions on pages 2-3)
- Certificate of Insurance (see instructions on this page)

Signatures

Application must be signed by both applicant & property owner

Fingerprints

Not required

City of Wauwatosa Regulations

- Chapter 6.38 of the Wauwatosa Municipal Code

Insurance Requirements

- An approved certificate of insurance must be submitted along with the application.
- The insurance company must be licensed with the Wisconsin Commissioner of Insurance.

- The certificate of insurance must be issued for a minimum of one year.
- The certificate of general liability and property damage insurance shall be in the sum of not less than \$25,000 per person, 50,000 per accident, bodily injury liability, and \$10,000 property damage liability.
- Certificates must include a policy number. Documents showing the policy number as "Pending" or "TBD" are not acceptable.
- The insured's name on the certificate must be exactly the same as the legal entity filing for the permit.
- If filing as an individual or partnership, then the documents must be issued in the applicant's first name, middle initial, and last name.
- Certificates must be signed by an Authorized Representative of the insurance company.
- The City of Wauwatosa, 7725 W. North Avenue Wauwatosa, WI 53213 must be listed as the Certificate Holder.

PLAN OF OPERATION REQUIREMENTS

The Submitted Plan of Operation Shall Include, at a Minimum, the Following Information:

- General Information. Include the business name, address, phone number, contact person's name and their phone number.
- Operational Calendar. If not year-round, the expected starting date and ending date of the sidewalk cafe.
- Hours of Operation. The proposed hours of operation of the sidewalk area dining facility.
- Capacities. Planned capacity of the Sidewalk Cafe, number of customers expected on a daily basis at the Premises, and the legal occupancy limit of the Premises.
- Pedestrian Clearance. All sidewalk seating areas shall at all times maintain a minimum clearance of 5 feet for pedestrian traffic. The clearance area shall be clear of all obstructions and provide a straight pedestrian path to the greatest degree possible. Describe method to ensure access to pedestrians and other public users through the sidewalk cafe.
- Security. Describe any plans to provide security for the Sidewalk Cafe.
- Paved Surface. At no time shall any furniture that is part of a sidewalk seating area be placed on grass, landscaping mulch or other unpaved surfaces. Sidewalk seating area furniture shall be placed on a paved surface of concrete, asphalt, pavers or other approved surface material.
- Maintenance. Describe how the area will be kept orderly in appearance and clean-up will occur.
- Noise. Describe how noise will be kept to a minimum.
- No Permanent Attachment. No sidewalk seating area tables, chairs, planters, server stations or other furniture or fixtures shall be permanently affixed to the public sidewalk, light poles, traffic signal poles, bicycle racks, street trees or other public improvements.
- Alterations of Public Improvements. Existing public improvements in the sidewalk area, such as benches, planter boxes, tree grates, bicycle racks, kiosks and trash receptacles, shall not be moved or removed to accommodate a sidewalk seating.
- Food or Beverage Preparation Within Public Right-of-Way. Any food or beverages shall be stored and prepared within the affiliated establishment. No storage or preparation of food or beverages shall occur within the public right-of-way.
- Compliance With Plan of Operation. Failure to comply with the approved plan of operation shall constitute grounds for modification, nonrenewal, suspension or revocation of a permit as provided in section 6.38.140.

SIDEWALK CAFE

DETAILED FLOOR PLAN REQUIREMENTS

Please read all instructions before preparing the plan.

- You are required to submit a detailed floor plan showing only the sidewalk cafe, including the information below.
- The plan must be filed on 8 ½ x 11 inch size paper. Handwritten plans are acceptable. Plans do not need to be architectural drawings and need not be to scale.
- A sample plan is shown on the following page.

THE PLAN MUST INCLUDE ALL OF THE FOLLOWING:

- Business name (Legal entity and trade name), premise address, premise phone number
- Agent's name (contact person) and phone number
- Dimensions of the sidewalk seating area (length and width)
- Total square feet of the sidewalk seating area (length X width)
- The curb line, property line and building face
- All items in the sidewalk seating area (tables, chairs, benches, planters, server stations, umbrellas, heating lamps, parking meters, bicycle racks, sign posts, etc.)
- Mark the North point (N↑)
- The current date
- Dimension the pedestrian clear path (minimum 5-foot wide)
- Location and size of the tables and the entrance to the establishment
- Dimension of building width

Sample Floor Plan for Sidewalk Cafe Permit

