

City of Cudahy
Clerk's Office.769-2203
Fax: 769-2257

Application for Permit

Key # _____
Permit # _____
Date Issued: _____

SIDEWALK CAFE

Description

A sidewalk café can be described as a designated outdoor seating area within a sidewalk right-of-way of an adjacent restaurant or business where food and beverages may be served. A sidewalk café usually consists of a small number of tables and chairs where patrons may dine outside rather than inside the parent establishment. The allowance of a sidewalk café is through the City of Cudahy by way of Sidewalk Café Permit application and issuance.

Where / When to Apply

Sidewalk Café Permit Applications can be obtained at Cudahy City Hall located at 5050 South Lake Drive. When completed, all Sidewalk Café Permit applications must be submitted to the City Clerk's Office located at 5050 South Lake Drive for review. Sidewalk Café Permit applications are recommended to be submitted by early March in order to gain approval in time for the sidewalk café season. Sidewalk Café Permit applications will also be accepted during the sidewalk café permit season but will not be prorated in the fees required with the application.

Requirements

Permit Length

All Sidewalk Café Permits issued to restaurants or businesses will be valid from the 1st of July through the 30th of June of the following calendar year. Applicants will be required to renew Sidewalk Café Permit on an annual basis.

Contact Information

Contact information of restaurant or business that will be operating proposed sidewalk café shall be submitted including but may not be limited to name, address and phone. Contact information of applicant who is submitting Sidewalk Café Permit application shall be submitted including but may not be limited to name, address and phone.

APPLICANT / OWNER

Name _____

Address _____

City, State, Zip _____

Phone (home) _____
(work) _____

Email _____

RESTAURANT / BUSINESS

Name _____

Address _____

City, State, Zip _____

Phone _____

Email / Website _____

Fees and Rates

The Sidewalk Café Permit is an annual permit and must be renewed each year sidewalk café will be in operation. The annual rate of a Sidewalk Café Permit is \$250.

Performance Bond

A one-time (year 1) performance surety bond or cashiers check of \$1,000 is required to be submitted with application for proposed sidewalk café. To ensure compliance of rules and regulations set out in this application and city ordinance, the bond will be refunded following the expiration of the sidewalk café permit after the 1st of November of the first year permit is issued.

Performance Bond Included
For the Amount of \$ _____

Payment Included
For the Amount of \$ _____

Insurance and Documentation

A certificate of commercial liability insurance in the amount of no less than \$1,000,000 per occurrence with the City of Cudahy named as additionally insured is required to be submitted with application for operation of proposed sidewalk café. Certificates and documentation regarding commercial liability insurance are required to be submitted with this application.

_____ Enclosed for the Amount of \$ _____
 _____ Enclosed for the Amount of \$ _____
 _____ Enclosed for the Amount of \$ _____

Licenses

Submitted with sidewalk café permit application shall be copies of Restaurant Licenses, Liquor Licenses and all other applicable and relevant licenses generally associated with the operation of a business.

Restaurant Operators License Enclosed
 Liquor License Enclosed
 Other Licenses Enclosed
List _____

Hold Harmless Agreement Form

A hold harmless agreement is provided following this application and is shall be included with submitted application. Signature of applicant is required demonstrating the applicant understands the terms and reasoning of the agreement.

Times of Operation

Applicant shall indicate on which days and hours proposed sidewalk café will be in operation. Said hours shall conform to all allowable hours of operation designated by the City of Cudahy and the State of Wisconsin.

Please indicate on which days and hours sidewalk café will be in operation:

Sunday _____ Monday _____ Tuesday _____

Wednesday _____ Thursday _____

Friday _____ Saturday _____

Sales of Sidewalk Cafe

At least 51% or the majority of sales sidewalk café will realize shall be those of food rather than alcoholic beverages. Documentation, such as a menu from the sidewalk café parent establishment, must be submitted with Sidewalk Café Permit application.

Service of Alcohol

If sales of sidewalk café include alcoholic beverages, sidewalk café shall stop serving alcoholic beverages by 10:00 PM.. By 10:30 PM, one half-hour later, there shall be no presence of alcoholic beverages in the sidewalk café or outside the parent establishment. Sale of alcoholic beverages may continue inside parent establishment abiding my normal operation sales and times.

Furniture

Furniture to be used for proposed sidewalk café shall be submitted by photographs for approval by the City of Cudahy Staff Steering Committee. Furniture to be used for proposed sidewalk café shall be of an aesthetic quality greater than everyday lawn and patio furniture. Furniture items such as vinyl-and-metal folding chairs or card tables are prohibited. Pictures are provided below to depict the difference between everyday lawn and patio furniture and furniture suitable for proposed sidewalk cafes. On a daily basis, approved furniture for use at proposed sidewalk cafe may be set in place at the start of operation hours and shall be removed at the close of operation hours of proposed sidewalk café. On a seasonal or permit length basis, approved furniture for use at proposed sidewalk café may be set in place at the beginning of operation hours on April 1 and shall be removed at the close of operation hours on November 1. All furniture must be removed no later than November 1st or a fee of \$75 per day will be charged.

Acceptable



Unacceptable



Seating Capacity

Seating capacity of sidewalk café shall be determined following the same rules and guidelines that determine the indoor seating capacity whatever that may be or as restricted by right-of-way allowances. This number of chairs and tables and/or persons must be determined and provided at time of submittal of this application.

Dimensions

Proposed sidewalk café shall abide by all right-of-way allowances designated by the Director of Public Works. These would include but not be limited to a 5-foot allowance for a pedestrian walkway as to not obstruct flow of pedestrian traffic. This 5-foot allowance must be included in the site plan discussed below.

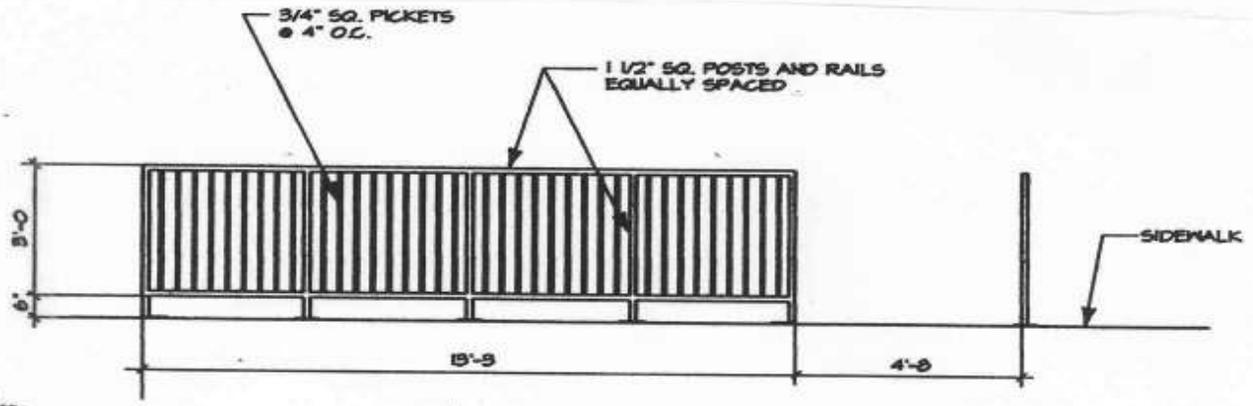
Site Plans**Site Plan Form**

An example or sample site plan is provided on the following page to demonstrate what is required of the applicant to provide in the site plan drawing. Applicant shall draw sidewalk café site plan to scale. Space will be made available in the form of a blank page following the example site plan allowing the applicant to accomplish the site plan drawing. Applicant may “grid” the blank page to allow for greater “to-scale” drawings.

Photographs of Site

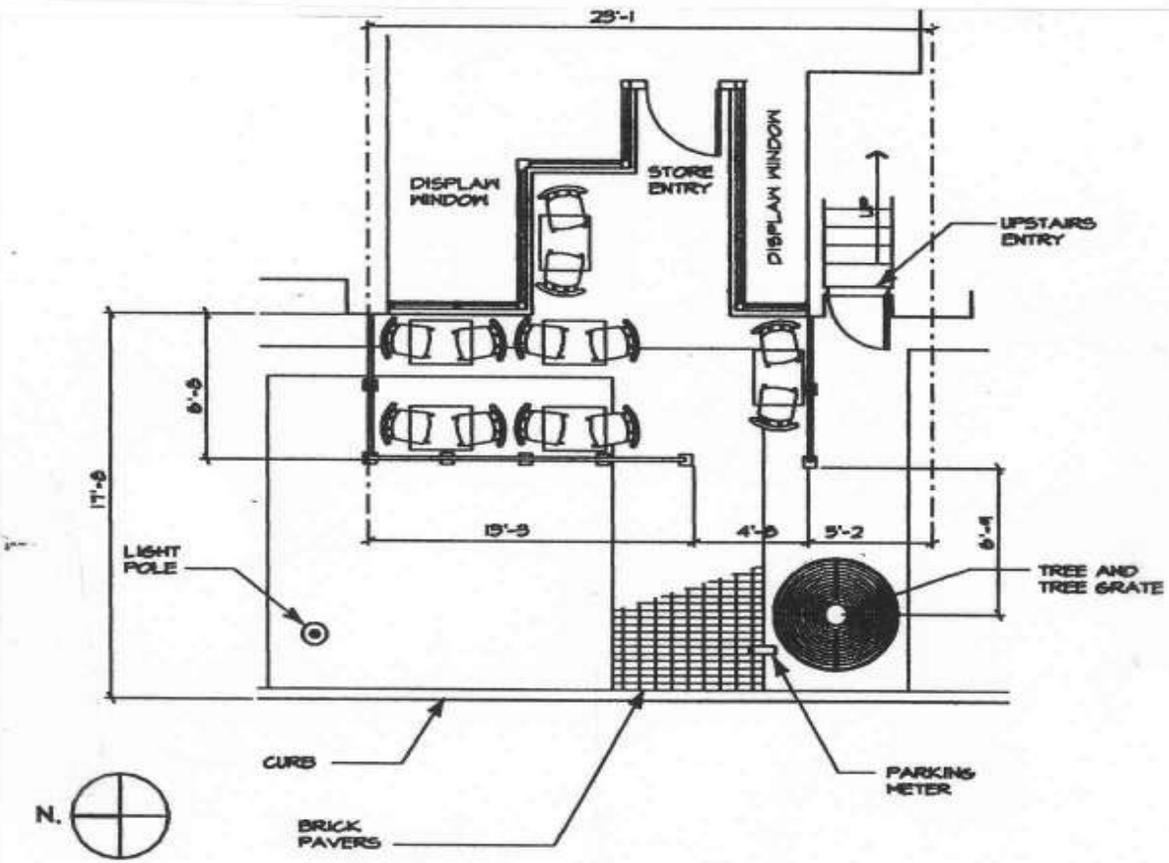
Photographs of the site where proposed sidewalk café will operate should be attached or included with the site plan drawing. If sidewalk café permit is granted to applicant, the submittal of photographs of completed sidewalk café in operating condition will be required for submittal.

EXAMPLE SITE PLAN OF SIDEWALK CAFE



FRONT RAILING ELEVATION

1/4" = 1'-0"



MAIN STREET

CAFE PLAN

1/8" = 1'-0"

SITE PLAN OF PROPOSED SIDEWALK CAFE

Landscaping

Aside from landscaping permanently or presently in place from parent establishment, any landscaping set out for purpose of proposed sidewalk café shall be kept in a neat and orderly condition. Possible sidewalk café landscaping may consist of moveable planters, trees or fencing which hold the same permit length requirements as proposed sidewalk café furniture.

Operating Responsibilities

Supervision of sidewalk café is to be determined and maintained at all times by the parent establishment operating proposed sidewalk café. A representative of the parent establishment in the form of a waiter/waitress, maître d', busboy, or other position shall be present at all times. Maintenance of proposed sidewalk café in the form of debris clearance and furniture-layout-control shall be upheld at all times of sidewalk café operation. Debris clearance can be described as the collection of garbage, trash, litter or any other material that can be designated as refuse that belongs in a trash receptacle. Furniture-layout-control can be described as the setting-out of, collection of and maneuvering of furniture used for the proposed sidewalk café that does not violate any clearance of the sidewalk right-of-way designated by the city and used by the general public.

Other Requirements/Restrictions

Dress code requirements for proposed sidewalk café shall be determined by the parent establishment operating proposed sidewalk café within requirements designated by local and state government for the general public. The allowance of pets or animals at proposed sidewalk café shall be determined by the parent establishment operating proposed sidewalk café within requirements designated by local and state government for the general public. The allowance of music at proposed sidewalk café played either live or through amplification shall be determined by the parent establishment operating proposed sidewalk café within requirements designated by local and state government.

Violations, Enforcement and Penalties

Any action performed or undertaken by permitted sidewalk café that jeopardizes the health, safety, and general welfare of the public, or any requirements set out in this application or city ordinance shall result in a single and final warning. Any further action to disrupt the health, safety, and general welfare of the public, or violation of requirements set out in this application or city ordinance shall result in revocation of sidewalk café permit for remainder of permit length. Applicant will be allowed to apply for a Sidewalk Cafe Permit again the following year.

Departmental Approval Check List

A check list is provided on the following page for relevant City of Cudahy departments and officials for approval of proposed sidewalk café. Departments include but are not limited to Fire and Police, Public Works, Health, Economic Development and the appropriate Alderman.

- Chief Inspector or designee
- Police Chief or designee
- Director of DPW or designee
- Health Department
- Director of Economic Development
- Rules, Laws & License Committee
- Common Council

Applicant, please note:

I understand that I, as the applicant, have a responsibility to comply with all applicable codes, statutes and ordinances of the City of Cudahy. The issuance of the permit creates no legal liability, express or implied on the Department or the City. All information provided is accurate.

APPLICANT'S SIGNATURE _____ DATE _____
Please Print Name _____