



**CENTRAL BUSINESS DISTRICT
SIDEWALK CAFÉ LICENSE SUBMITTALS**

City of Stevens Point
Department of Public Works
1515 Strongs Avenue
Stevens Point, WI 54481
Phone: 715-346-1561
Fax: 715-346-1650

When applying for a Sidewalk Café License to the Department of Public Works, the following items must be included:

- Picture (digital, Polaroid, or any other) of the location to be occupied.
- Health Department Certificate (if selling food items not pre-packaged).
- Completed application.
- Notification Form (unless in front of your own business).
- Liability Insurance.
- Must maintain 5 foot wide clearance on sidewalk.
- Approval from businesses within 75 feet of desired location selling like items. Applicant must receive approval from any and all businesses within 75 feet of desired location that sell comparable items.

Please check the following boxes to acknowledge the understanding of the listed items:

- No café or items in connection with the café shall be left on the sidewalk overnight, or for a 24 hour period.
- No café shall be affixed to any stationary object (light pole, parking meter, traffic control device, etc.)
- No person shall use a motorized generator in connection with sidewalk café activities.
- No person shall drive a motorized vehicle upon or within any sidewalk area for any purpose including, but not limited to, placing the café or any other apparatus used in connection with the sidewalk café or to remove the café.
- I have read and understand the provisions of the City Ordinance in Chapter 16, Section 12.
- I have approval to amend the premise description on the liquor license.

PLEASE NOTE: Failure to submit all required items may result in delays in processing your application.

Permits within the boundaries listed below will be considered invalid during the times of said events:

- 1) Crazy Days**
- 2) Dozynski Harvest Fest**
- 3) Corn on the Curb**
- 4) Any Main Street Area Association sponsored event**

Signatures for acknowledgment of completeness:

Signature of Applicant

Print Name

Date

Online application forms are available on the City's web page at stevenspoint.com/licenses.

PROCEDURE TO RECEIVE A LICENSE FOR A SIDEWALK CAFÉ

Persons wishing to occupy public space must first obtain a Sidewalk Café License from the City of Stevens Point. Sidewalk Café Licenses are only valid for serving food. If you would also like to serve liquor, you must also apply for an extension of the premise description liquor license. Application packets for sidewalk café's are available from the Department of Public Works and a written request to amend the liquor license is required in the City Clerk's Office. Applicants are asked to carefully review all packet information, which should include the following:

- A License Application
 - An Insurance Requirement Form
 - A Copy of Chapter 16, Section 12
1. Applicants may apply for a seasonal or a daily café license. Seasonal Café Licenses are valid from April 15 to October 31 of each calendar year. Daily licenses are only valid on the day specified on the café license.
 2. If applying for a seasonal café license and would also like to serve alcohol, a separate written request to amend the premise description of liquor license must be submitted in writing to the City Clerk's Office and approved by Public Protection and Common Council.
 3. ONLY the owner or manager of a street level business or property may submit applications for a seasonal café license between April 15 and October 31. After April 15, anyone may apply for a seasonal café license in accordance with the requirements set forth in Chapter 16, Section 12 and need approval to amend the premise description on the liquor license.
 4. Applications for a daily café license may be submitted by anyone in accordance with the requirements set forth in Chapter 16, Section 12 and need approval to amend the premise description on the liquor license.
 5. The applicant should clearly identify on the application the area they wish to occupy. It must also indicate the total square footage and the reason for occupancy.
 6. Prior to the issuance of the café license, the applicant must give written notice (on the form provided by the City) to the business(es) directly adjacent to the sidewalk café area to be occupied and approval from any and all businesses within 75 feet in direct competition with applicant. All parties must be notified at least 72 hours before any sidewalk café license can be issued.
 7. Pursuant to Chapter 16, Section 12(12) applicants for a sidewalk café license must submit evidence of adequate liability insurance coverage consisting of a certificate issued by an authorized agent of the insurance company with the required amendments and/or changes per the attached Insurance Requirement Form. Faxed copies must be sent directly from the insurance company.
 8. Fees for a Sidewalk Café License are as follows:
Seasonal license: \$30.00 per seasonal license year of sidewalk space occupied (April 15 and October 31).
Daily License: \$00.00 per day for sidewalk space occupied.
 9. Before using any sidewalk café license involving the sale of food or product for human consumption, a copy of the Application for Certification must be received from Portage County.
 10. The license must be prominently displayed so that it is visible to the public while conducting activities permitted by Chapter 16.12. The license holder must provide refuse receptacles that cannot be deposited in City refuse containers.
 11. The license holder must provide for a pedestrian walkway at least 5 feet wide.

Return completed forms to:
Department of Public Works
City of Stevens Point — County/City Hall
1515 Strongs Avenue
Stevens Point, WI 54481
Phone: 715-346-1561
Fax: 715-346-1650



PLEASE RETURN TO:
 City of Stevens Point
 Department of Public Works
 1515 Strongs Avenue
 Stevens Point, WI 54481
 715-346-1561

Date Received: _____

NOTE: Written notice must be provided to the business directly adjacent to the sidewalk area to be occupied along with insurance.

APPLICATION FOR A SIDEWALK CAFÉ LICENSE

1. Name of Individual/Business: _____

2. Individual/Business Address: _____ State: ____ Zip: _____

3. Name of Applicant: _____

Address of Applicant: _____ State: ____ Zip: _____

Phone No(s): _____ Fax No: _____

Email: _____ Alcohol Lic. # (if applicable): _____

4. Address of Sidewalk Café: _____

5. Purpose of Sidewalk Café: _____

6. Date(s) of Occupancy: _____

7. Area of Occupancy (Square Feet): _____

Applicant's Signature

Date

| | |
|------------------|-------|
| Sidewalk Use Fee | _____ |
| Total | _____ |
| Date Paid | _____ |

| |
|---|
| Insurance Certificate on File: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Insurance Expiration Date: _____ |
| Adjacent Property Owner Permission Slip(s) Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Approval From Like Business(es): Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Outdoor Alcohol Service: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| License No. _____ |

City Authorization Signature

Date



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NOTICE OF INTENT FOR A SIDEWALK CAFÉ LICENSE

I, _____ hereby notify _____
(Applicant) (Business Name/Occupant)

of my intent for a sidewalk café in front of _____
(Address)

for the sole purpose of selling _____
(Items)

My sidewalk café will occupy _____ square feet of space. I anticipate opening the sidewalk café

Starting on _____ and ending _____
(Beginning date) (Ending Date)

Pursuant to **the City of Stevens Point**, the Sidewalk Café License cannot be issued until the owner(s) or authorized agent(s) of this business/property have been notified of my intention. Objections to the issuance of this license must be based on terms and conditions set forth in Chapter 16, Section 12, of the City of Stevens Point Ordinances. Objections to this request do not suggest the denial of the license application.

- I have no objections to the sidewalk café license
- I object for the following reason(s): _____

Owner/Manager/Agent Signature

Date

If you, the applicant have attempted to serve the owner/agent/business you plan to occupy space in front of to no avail, please send this form certified mail, return receipt and provide the City of Stevens Point with a copy of the receipt from the US Postal Services of this mailing. This receipt will serve as official notification for the purposes of this application of sidewalk occupancy.



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Merchant Association Information

The following is a list of contacts for each of the Merchant Associations within the Central Business District and their contact information.

Downtown Business Association

Main Street Manager
1245 Main Street, Suite 200
Stevens Point, WI 54481
715-343-5356

mainstreetmanager@sbcglobal.net

A Dash of Delicious

1313 Second Street
715-544-0156

Arbuckles Eatery

1320 Strongs Avenue
715-341-2444

Bill's Pizza Shop

1101 Main Street
715-344-9557

Cozy Kitchen

1338 Third Street
715-344-8620

Erberts and Gerberts

812 Main Street
715-341-7827

Father Fat's Public House

945 Clark Street
715-544-4730

Graffiti's Sports Pub Spirits and Eatery

912 Main Street
715-344-4450

Green Tea Restaurant

1035 Main Street
715-345-2998

Guu's On Main

1140 Main Street
715-344-3200

Gyros and Kabob House

1157 Main Street
715-341-5411

Kristin's Riverwalk

1140 Clark Street
715-341-8178

Politos Pizza

960 Main Street
715-341-9980

Square Scoops

824 Main Street
715-544-4168

The Coffee Studio

1100 Main Street
715-498-9907

The Wooden Chair

1059 Main Street
715-341-1133

Water Street Grille

1410 Third Street
715-344-2070



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The City of Stevens Point requires that you provide evidence of proper liability insurance coverage in order to obtain a sidewalk café license. You or your insurance company must submit a valid certificate of insurance with the following information:

- _____ The certificate must be issued to the City of Stevens Point.
- _____ The City of Stevens Point must be named as additional insured.
- _____ The policy must be current and remain so for the duration of the seasonal license year. Insurance that expires during this period may cause the license to be suspended or revoked.
- _____ The policy must be signed and dated by the authorized agent. If your agent is faxing the information to Department of Public Works, they should send it to the attention of the Director of Public Works at (715) 346-1650. We will only accept a faxed copy from the insurance agency and **NOT** from the license applicant's office.
- _____ The cancellation clause must be amended to meet the City Attorney's requirements, including:
 - Remove the words "endeavor to".
 - Provide for "10 days written notice to the certificate holder named to the left".
 - Remove all language beginning with "but failure to mail..." to the end of the clause ending with "agents or representatives".

City Code prescribes the required level of insurance, outlined below:

Liability Amounts
\$500,000 Property Damage
\$500,000 Personal Liability

Please submit this information along with your application or processing may be delayed until the necessary information is received. If you have questions or comments, please contact the Department of Public Works at (715) 346-1561.

ORDINANCE CHAPTER NO. 16, SECTION 12

Approved: April 19, 2010

Published: April 23, 2010

Effective: April 19, 2010

STREETS, ALLEYS AND SIDEWALKS

Sec. 16.12

16.12 CENTRAL BUSINESS DISTRICT SIDEWALK CAFÉ LICENSES.

(1) Central Business District Sidewalk Café Licenses. Establishments holding a restaurant license issued by Portage County and located in the Central Business District may be eligible for a Sidewalk Café License, to allow sidewalk café seating for service of food and beverages on the public sidewalk directly adjacent to the establishment.

(a) Eligibility. An establishment holding a food and drink permit is eligible for a Central Business District sidewalk café only if it meets all of the following eligibility criteria:

1. The entire sidewalk surface for the proposed sidewalk café must be paved. For purposes of this section, a paved surface includes concrete, asphalt, brick pavers, or other impervious surface. Paved areas of the establishment's private property may be included within the boundary of the proposed café, if immediately adjacent to the paved public sidewalk.
2. The paved portion of the adjacent public sidewalk must be at least eight feet (8') wide.
3. An establishment is not eligible if sidewalk café placement would result in less than a minimum of a five feet (5') wide unobstructed public pedestrian walkway on the public sidewalk adjacent to the café site.
4. An establishment is not eligible if, in the opinion of the Director of Public Works, immovable, obtrusive or too numerous public amenities on the adjacent sidewalk make café placement impractical, or when existing amenities would create obstacles to accessibility if a sidewalk café were added to that location.
5. An establishment is not eligible if, in the opinion of the Director of Public Works, the grade or slope of the adjacent public sidewalk is prohibitive, if the sidewalk does not offer a sufficiently level surface for food and drink service, or if café placement would present a safety hazard due to any other elements of the topography or layout of the sidewalk, regardless of the width or square footage of the adjacent public sidewalk.

(b) Application. Establishments holding a restaurant license and meeting the eligibility requirements in sub. (a), "Eligibility", may apply for a Central Business District Sidewalk Café License. The Director of Public Works or designee shall inspect the proposed café location for compliance with sub. (a), "Eligibility", and to make placement suggestions upon receipt of application, or prior to submission, if requested by the applicant.

(c) License Fees. The fee for a Central Business District Sidewalk Café License shall be thirty dollars (\$30.00) per license year.

(d) Café Placement and Dimensions. Sidewalk cafés permitted under this section shall be located next to the building, except as allowed in sub.(e), "Alternate Placement". All sidewalk cafés shall be placed within the approved boundaries of the sidewalk café site as set forth on the approved application. All components of the sidewalk café shall be placed in compliance with sub. (a), "Eligibility", and the following criteria:

1. Sidewalk cafés shall be placed against the building.

2. Sidewalk cafés shall extend no further than the side property lines of the establishment's street frontage.

3. No sidewalk café may obstruct the minimum of five feet (5') unobstructed public pedestrian walkway required to be maintained on the adjacent public sidewalk. This five foot (5') walkway shall be measured from the outside of the café enclosure to the:

- curb edge, or
- road side edge of sidewalk if there is an unpaved terrace.

4. Café Width. The maximum café width shall be determined by the width of the adjacent public sidewalk, according to Table 1 below. Sidewalk width shall be measured from the building face to the curb face (or roadside edge of the sidewalk if there is an unpaved terrace)

5. Café Furniture. Maximum table size and furniture configuration shall be as required by Table 1 below.

TABLE 1:

| Sidewalk Width | Maximum Café Width | Maximum Table Size & configuration |
|-----------------------|---------------------------|---|
| less than 8' | café not permitted | n/a |
| 8' - 9' 11" | 3' café | 24" in diameter in single row |
| 10' - 15' | 5' café | 36" diameter in single row |

6. Cafés shall have at least one (1) unobstructed entrance of at least three feet (3') and not more than five feet (5') in width, the position of which allows sufficient access to the public entrance to/egress from the restaurant.

7. Cafés shall not be placed on any grass, lawn or other non-paved areas of the right-of-way.

8. Cafés shall comply with all other applicable requirements of this ordinance. In the event of a conflict with another section, the stricter requirement shall control.

(e) Alternate Placement: Case-by-Case Determination: The Director of Public Works may, on a case-by-case basis and at his/her discretion, allow variances to sections 16.12(1)(d), "Café Placement and Dimensions", and approve a sidewalk café accordingly, after inspection of the site, if in the opinion of the Director, such a variance is necessary in order to permit a sidewalk café for an otherwise eligible establishment.

(f) Appeals. A decision to grant or deny a citywide sidewalk café license under this section may be appealed to the Common Council.

(g) Vendors must maintain their vending areas in a clean and hazard-free condition.

(h) Vending equipment. All vending equipment including tables, apparatus and merchandise shall be removed from the streets, sidewalks during times when vending is prohibited.

(i) Authority. The Police Department and the Director of Public Works shall have concurrent authority to remove or cause the removal of any vending equipment or furniture found on the street or sidewalk after hours. In addition to any forfeiture, the violator shall be liable for any removal, towing and storage charges incurred by either department.

(j) Liability insurance covering the City of Stevens Point and the sidewalk café owner for the licensed sidewalk café site shall be required, including insurance to cover liquor liability, to the extent specified by the City of Stevens Point Comptroller.

(k) Operation. Sidewalk cafés may operate from 7:00 a.m. through 11:00 p.m. each day from April 15 through October 31 of each year.

(l) Violations of Section 16.12 may result in revocation of the Sidewalk Café License.

(2) Central Business District Sidewalk Café with Alcohol Beverage License.

(a) Consumption of alcohol beverages in all sidewalk café shall be limited to persons seated at tables in the sidewalk café site. In the case of sidewalk cafés having an alcohol beverage license, food service shall be required to be available at all times the sidewalk café is open.

(b) Liability insurance covering the City of Stevens Point and the sidewalk café owner for the licensed sidewalk café site shall be required, including insurance to cover alcohol liability, to the extent specified by the City of Stevens Point Comptroller.

(c) Serving alcohol. Each sidewalk café serving alcohol beverages shall be responsible for policing the area of the sidewalk café to be sure those customers are of the legal drinking age and that alcohol beverages are not removed from the premises.

(d) No alcohol. There shall be no sale of alcohol for consumption at a sidewalk café after the time approved and specifically indicated on the owner's alcohol beverage license until normal opening of business each day. In addition, all containers of intoxicating beverages shall be removed from the tables of the sidewalk café and the sidewalk café area during those times.

1. For the Central Business District service of alcohol in sidewalk cafés shall stop no later than 9:30 p.m., with all alcohol off the table by 10:00 p.m. and the sidewalk café closing at 11:00 p.m.

2. All sidewalk café alcohol beverage licenses issued in the city shall expire on June 30 each year and be subject to renewal.

3. Cafés shall be enclosed on all sides (the building face may serve as one side of the enclosure), the non-building enclosure sides shall consist of a minimum of three feet (3') open fence as determined by the Director of Public Works.

(3) Inconsistent Ordinances. The provisions of Section 16.05, "Obstructions on Streets and Sidewalks", which are inconsistent with this ordinance, shall not apply to Central Business District Sidewalk Cafes.