



SIDEWALK DINING FACILITY PERMIT INFORMATION

ccl-side 4/16/15

Office of the City Clerk License Division

200 E. Wells St. Room 105, Milwaukee, WI 53202

(414) 286-2238 e-mail address: license@milwaukee.gov www.milwaukee.gov/license

Who needs a Sidewalk Dining Facility Permit?

A restaurant or alcohol beverage licensee who provides outside seating in the public right of way for customers to consume food or beverages.

Definitions

A "sidewalk area dining facility" 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 private property adjacent thereto.

License Period

Annual; expires with the food license, maximum one year from date of issuance.

Fee: \$100 for new applications

Renewal Fees:	
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: 501-1,000 total area:	\$225
g. Class 7: 1,001-1,500 total area:	\$300
h. Class 8: 1,501 or greater total area:	\$500

Forms Needed

- Business License Application (ccl-busapp)*
- Business Plan of Operation (ccl-busplan)*
- Sidewalk Dining Facility Supplemental Application (ccl-side1)
- Sidewalk Dining Facility Certificate of Insurance (ccl-side4)
- Request to Modify Food Establishment/Food Operation Plan (ccl-foodmod), if food prep outdoors

*only one copy of Business License Application and Plan of Operation needed if filing with other license applications

Signatures

Application must be signed by both applicant & property owner

Fingerprints

Not required

City of Milwaukee Ordinance Regulations

- MCO 115
- Available online at www.milwaukee.gov/ordinances

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 license.
- 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 Milwaukee, 200 E. Wells Street, Room 105, Milwaukee, WI 53202 must be listed as the Certificate Holder.

In the event of a cancellation or nonrenewal of the certificate of insurance, the permit shall be automatically suspended. If a permit is suspended due to cancellation, expiration or nonrenewal of a certificate of insurance required by this section, the permittee shall pay a \$25 reinstatement fee.

OPERATIONAL REQUIREMENTS

- Hours of Operation. The hours of operation of the sidewalk area dining facility shall be as approved by the common council.
- 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.
- 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.
- 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. Nothing shall be hung from street trees, light poles, sign posts or traffic signal poles.
- 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 area unless it is determined that the improvements are no longer needed or that they can be appropriately relocated. Any alterations to public improvements shall be approved by the commissioner of public works and made at the permit holder's expense.
- 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 s. 85-4-4. Other Requirements. The common council may establish other operational requirements as may be necessary to regulate the location, design and operation of the sidewalk seating area.



Sidewalk Dining Facility Supplemental Application

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Business Operations

Check one:

☐ Currently hold Food/Alcohol license(s) # _____

☐ Also applying for Food/Alcohol license(s) at this time

Sidewalk Dining Facility will operate from: Start Date _____ to End Date _____

Will any food prep be done outdoors? ☐ No ☐ Yes If yes, describe: _____

and also complete the "Request To Modify Food Establishment/Food Operational Plan" and submit with this application

What type of security will be provided? ☐ Same as Food or Alcohol ☐ Other: _____

Will any sidewalk dining facility improvements be physically attached to public structures? ☐ No ☐ Yes

If yes, describe: _____

Property Owner

Check one:

☐ Applicant owns the property

☐ Property Owner's Information/Signature:

Name: _____ Phone Number: _____

Address: _____

Property Owner's Signature (if other than the applicant) _____

Detailed Floor Plan

Please read all instructions before preparing the plan.

• You are required to submit a separate floor plan showing only the sidewalk café, including the information below, in addition to any floor plan required as part of an alcohol beverage or food dealer license application.

• If you do not submit a sidewalk dining facility permit at the same time as your food or alcohol license application and you wish to add them later you will be subject to the permanent extension fee and a new application process.

• 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.

THE PLAN MUST INCLUDE ALL OF THE FOLLOWING:

- ☐ 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 (tables, chairs, benches, planters, server stations, umbrellas, heating lamps, other furniture or fixtures.)
- ☐ Mark the North point (N↑) on each page
- ☐ The current date
- ☐ Business name (Legal entity and trade name), premise address, premise phone number
- ☐ Agent's name (contact person) and phone number

Additional Forms Needed

- Business License Application (ccl-busapp) - only one copy needed if submitting with other license applications
- Business Plan of Operation (ccl-busplan) - only one copy needed if submitting with other license applications
- Sidewalk Dining Facility Certificate of Insurance (ccl-side4)
- Request To Modify Food Establishment/Food Operational Plan (if food prep outdoors)

Office Use Only:

Initials _____ Filed _____ App # _____ ☐ Floor Plan Recd ☐ Insurance Recd

Food Prep Outdoors ☐ No ☐ Yes If yes, Modification Form Recd and Queue to HD



SIDEWALK DINING FACILITY PERMIT

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CERTIFICATE OF INSURANCE

(Herein called Insurance Company)

Address _____
(Include city, state, zip)

Insurance Company's State of WI License # _____ (optional)

ISSUED TO THE CITY OF MILWAUKEE, 200 E. Wells St. Rm. 105, Milwaukee, WI 53202

The company hereby certifies that it has issued to:

NAME _____
(Full Legal Name of Insured)

a general liability **POLICY NO** _____ **EFFECTIVE** _____
_____, 20____,

EXPIRES _____, 20____, providing for limits of at least \$25,000 covering bodily injury to any one person, and \$50,000 covering bodily injury to more than one person in any one accident, and \$10,000 covering property damage to any one owner on the area or areas included within the sidewalk dining facility permit, and naming the city of Milwaukee as an insured. The insurance policy shall provide that it shall not be cancelled until after at least 30 days' notice in writing to the City Clerk License Division.*

Dated this _____ day of _____, 20____

Agent of Insurance Company:

Print Name _____

Signature _____

*Per MCO 245-12-3-b.

Sample Plan for Sidewalk Café

Provide an accurate:

- Location and size of the tables and the entrance to the establishment
- Dimension of building
- Dimension of area(s) occupied by tables and chairs
- Dimension the 5-foot wide pedestrian clear path
- Location and dimension all features such as street light poles, trees, sign posts, parking meters, bike racks, permanent street furniture, etc.
- Dimension between the aforementioned features and the tables

