



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:	\$125
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

Applications and Renewals

- Applications and renewals must be submitted via the self- service portal on the city website: www.wauwatosa.net
- Renewing this license does not require any documents, unless something is changed (premises, square footage, etc.)

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

