



<b>FOR OFFICE USE ONLY</b>
Date Received: _____
Decision Date: _____
Permit#: _____
Receipt#: _____

# City of Charlevoix

Sidewalk Café License Application

### SECTION 1: APPLICANT INFORMATION

- This is an application for the renewal of an existing license agreement.
- This is a new application.

Name of Applicant: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

By checking this box you acknowledge that you have read the *City of Charlevoix Sidewalk Cafe License Application: Appendix 1- Rules and Regulations* and agree to adhere to all provisions outlined. The City of Charlevoix maintains the right to revoke any license at any time for non-compliant license holders.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### SECTION 2: PROPERTY OWNER INFORMATION

- Check this box if applicant is also the property owner and move on to Section 3.

Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

I affirm that I am the owner of the property referenced in Section 1, or the owner's authorized representative, and I hereby grant permission for the Applicant names in Section 1 to operate a sidewalk café at the location stated.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### SECTION 3: PERMIT FEES

- Annual Application Fee \$50

#### SECTION 4: SUPPORTING DOCUMENTATION

Total Number of Tables Proposed: \_\_\_\_\_ Total Number of Seats Proposed: \_\_\_\_\_

Hours of Operation for Outdoor Café Area:

April 1-June 1: \_\_\_\_\_ June 1-September 1: \_\_\_\_\_

September 1-October 31: \_\_\_\_\_

#### Please Include the Following:

- A drawing or site plan (to scale) showing the proposed layout of the café area. The site plan must:
  - Cover the entire area between the curb and the building.
  - Show all existing and proposed obstructions in the area such as trees, tree grates, benches, parking meters, light poles, planters, railings and tables/seating arrangement.
  - Be drawn with sidewalk chalk with the City Planner present before approved.
- If applicant would like to use the space in front of the store immediately adjacent to their business please include a letter of permission from both the business owner and the property owner.
- Please attach a certificate of insurance documenting coverage in the amount of \$1,000,000.00. The City of Charlevoix shall be named as “additional insured” on the certificate. The certificate must be valid for the duration of the season which is April 1- October 31.
- Please attach a completed Special Conditions for Sidewalk Café Permits form (Form 2433) from the Michigan Department of Transportation (*Only if your business is located on US 31*).
- If you would like to serve alcohol outside, attach a completed copy of your Michigan Liquor Control Commission (MLCC) Request for Outdoor Service. If your current liquor license does not include an Outdoor Service Permit, you must submit a written request with a diagram of the proposed service area and an inspection fee to the MLCC. Your outdoor service permit must be submitted with this application.

#### SECTION 5: APPROVAL PROCESS

- Completed applications will be processed within a timely manner. *Failure to submit all required items may result in a delay processing your application.*
- Businesses will be notified by City staff of their permit status.
- If your application is denied and you would like to appeal the staff decision, the applying business must write a letter stating why they believe an appeal is necessary and submit it to City Staff within 5 business days of being notified of their permit status.
- A meeting of the Outdoor Dining Committee will then be called within 10 business days of the letter being submitted to determine if the appeal will be granted.

#### SECTION 6: CONTACT INFORMATION

##### Mike Spencer

City Planner and Zoning Administrator

231-547-3265

[mspencer@cityofcharlevoix.org](mailto:m Spencer@cityofcharlevoix.org)

# City of Charlevoix

## Sidewalk Café License Application

### *Appendix 1: Rules and Regulations*

#### ELIGIBLE APPLICANTS

- Applicants must be within the DDA District.
- Applicants must be in the food or beverage industry and must be operating on City Property, applicants who are operating on private property are not required to have a permit.
- Applicants may only use their permitted area for the purpose of outdoor seating, no other outdoor merchandise or services will be allowed.

#### PUBLIC RIGHT OF WAY

- Business must maintain a minimum of six (6) feet of unobstructed pedestrian walking space between the outside edge of their sidewalk café and the building or between the outside edge of their sidewalk café and the back of the curb.
- Business must maintain a minimum of one-and-a-half (1.5) feet of clearance between the outside edge of their barrier and the curb.
- All chairs must stay in the designated outdoor dining area. Business owners are responsible for ensuring chairs do not encroach on pedestrian walkway.
- All outdoor dining barriers and furnishings must be removed from October 31-April 1, unless authorized by the City Manager based on the following criteria:
  - 1) The outdoor barriers and/or furnishings are placed in a location that does not obstruct or compromise pedestrian or vehicular traffic.
  - 2) The outdoor barriers and/or furnishings are maintained and safe for customer use. (Kept free of snow, ice, etc)
  - 3) The outdoor barriers and/or furnishings do not interfere with any routine maintenance or necessary repairs, such as snow removal, filling cracks, etc.
  - 4) The applicant has provided proof that the outdoor area is covered by their insurance year round.

#### AESTHETICS

- Tables and chairs may not be made of plastic.
- Tables and chairs should be dark in color (black, dark brown, navy, hunter green) and match.
- Umbrellas will be allowed only in solid colors (hunter green preferred).
- Businesses must serve within and maintain a clearly defined area that is clean, appropriate, safe, and incorporates live vegetation. Flowers are preferred.
- Barriers must not contain any 90 degree corners.

#### ORDINANCES, PERMITS, INSURANCE AND FEES

- Business may not operate a sidewalk café between the hours of 11pm and 6am.
- Business must obtain a valid permit from the Michigan Department of Transportation.
- Business serving alcohol must obtain a valid permit from the Michigan Liquor Control Commission.
- Business must submit proof of insurance of \$1,000,000 with the City as a named insured.
- Applicants are required to pay a \$250 first time fee and a \$200 renewal fee yearly
- Sign ordinance regulations apply to all outdoor dining areas.

## PERMISSIONS

- Businesses applying must have written permission from the property owner.
- Businesses will be allowed to extend their area up to one store length immediately adjacent to their business in either or both directions with written permission from the property and business owner.