

Sidewalk Café Application

City Code Chapter 90.16



Fees:

_____ Application Fee	\$50.00
<i>(Initial or Amended Application Fee)</i>	
_____ Liquor License Fee <i>(Annual)</i>	\$50.00
<i>(If serving liquor in the sidewalk café)</i>	

APPLICATION CHECKLIST:

To prevent delay, please ensure the following information is submitted.
Incomplete applications are not accepted and will be returned immediately.

- ☐ Sidewalk Café Application
- ☐ Application Fee
 - Checks should be made payable to the City of Hastings. Credit card and cash are also accepted. *All credit/debit card payments will be assessed a 3.7% convenience fee.*
 - If liquor is to be served in the sidewalk café, please include the additional fee.
- ☐ Current Copy Certificate of Insurance
 - The City of Hastings must be listed as additional insured.
 - A 10-day cancellation notice is included as part of the policy.
 - If serving liquor, the following must be included in the description:
 - Coverage extends to adjacent sidewalk.
- ☐ Sidewalk Café Site Plan
 - Refer to City Code Chapter 90.16 (D)(1) for required site plan specifications.
- ☐ Photograph and manufacturer specifications for all proposed sidewalk café furniture and fixtures.
- ☐ Food and Beverage Menu
- ☐ Ordinance Acknowledgement
- ☐ Tennessen Warning
- ☐ Indemnification Agreement

APPLICATION PROCESS:

- ☐ Return the complete application packet and the required fee(s) to the Deputy City Clerk.
- ☐ Once all required documents and fees have been received, the application will be reviewed. Please allow 10 business days after all materials have been received for review.
- ☐ If additional information is required, the applicant will be contacted by the Deputy City Clerk.
- ☐ Once initial review is complete, all Sidewalk Café license applications must be approved by the City Council.
- ☐ Following approval, the Sidewalk Café may be constructed as per specifications set in the application. Sidewalk Cafés must be inspected annually prior to issuance of license and operation commencing.
- ☐ The license shall be posted in a conspicuous place in the licensed establishment at all times throughout the licensing period.

All sidewalk cafés shall be subject to annual compliance inspections.

Applicant Information

Name:
Address:
Phone Number:
Email Address:

Business Information

Business Name:
Business Address:
Business Phone Number:
Proposed Days and Hours of Sidewalk Café Operation:
Describe any Entertainment or Music:

Sidewalk Café Area to Serve Alcohol *(Liquor License Amendment Required)*

Responses that indicate "same as previous years" will not be accepted.

Will alcoholic beverages for consumption be offered in the Sidewalk Café? _____ YES _____ NO <i>If yes, please complete the next section. If no, please skip to the Sidewalk Café Description section.</i>
Will alcoholic beverages be served in the entirety of the Sidewalk Café? _____ YES _____ NO If no, specify where alcohol will be served:
Will alcohol service be provided during entirety of the Sidewalk Café hours of operation? _____ YES _____ NO
Please explain the procedure ensuring alcohol will be contained in the Sidewalk Café:

Sidewalk Café Description

Responses that indicate “same as previous years” will not be accepted.

Description of all points of access between the building and the sidewalk café and exterior areas:
Describe the fencing/barrier to denote sidewalk café area:
Description of ingress and egress arrangements including those necessary to provide handicap accessibility and to ensure safety of moveable seating arrangements:
Description of all physical improvements to be constructed to accommodate the sidewalk café:
Describe any additional lighting:
Describe any Entertainment or Music:
Proposed Days and Hours of Sidewalk Café Operation:
Please provide any additional information and details not mentioned above:

Proposed Site Plan
(Attach additional pages if necessary)

A large, empty rectangular box with a thin black border, intended for the user to draw or attach a site plan. It occupies the majority of the page area below the title.



Minnesota Government Data Practices Act **Tennessen Warning**

(Please initial)

The purpose and intended use of the requested data is to verify the applicant meets all state statute and city code provisions and, if the license or permit is approved, to verify that all required data remains current.

The following data collected, created, or maintained is classified under the Minnesota Government Data Practices Act as Private data until license approval when the data becomes Public: (Minn. Stat. § 13.41, Subd. 4).

1. Data submitted by applicants (other than names and designated addresses).
2. Orders for hearings and findings of fact.
3. Conclusions of law and specification of the final disciplinary action contained in the record of the disciplinary action.
4. Entire record concerning the disciplinary proceeding.
5. License numbers and license status.

The following data collected, created, or maintained is classified as Private: (Minn. Stat. §13.41, Subd. 2).

1. The identity of complainants who have made reports concerning licenses or applicants which appear in inactive complaint data unless the complainant consents to the disclosure.
2. The nature or content of unsubstantiated complaints when the information is not maintained in anticipation of legal action.
3. Inactive investigative data relating to violations of statutes or rules.
4. The record of any disciplinary proceeding except as limited by Minn. Stat. §13.41, Subd. 4.

Under law, private data may be shared with licensing and inspection employees, approval authorities, insurance providers, law enforcement employees, and/or contracted inspection officials as required by court order; this may include City officials who have a bona fide need to review it.

The City of Hastings may make any data classified as private or confidential accessible to an appropriate person or agency if the licensing agency determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

_____ I have read and understand the above information regarding my rights as a subject of government data.

Ordinance Review

(Please initial)

_____ I hereby acknowledge that I have read, understand, and agree to abide by the regulations set forth in the City's Ordinance associated with the license for which I am applying. Furthermore, I also understand that I must comply with the provisions of all applicable state laws.

Insurance Information

The applicant hereby agrees to save, defend, hold harmless, and indemnify the City of Hastings and all of its officers, departments, agencies, and employees (collectively the “City”) from and against any and all claims, losses, damages, injuries, fines, penalties, and costs, including attorneys’ fees, charges, liability, or other exposures, however caused, resulting from, arising out of, or in any way related to the applicant’s activity as herein described and applicant’s use of City property and/or right-of-way. Nothing herein shall have any effect on the City’s right to assert any liability defense in accordance with Minnesota Statutes, Chapter 466.

The applicant must provide the City with a certificate of Insurance showing proof of the required liability insurance(s). The City must be listed as an additional insured on all liability policies. Applicant’s insurance shall act as the primary insurance coverage for any claims of loss covered by the insurance policy.

Commercial liability insurance or equivalent coverage protecting applicant and City from claims for damages or bodily injury and property damage which may arise out of or in connection with the operation and use of the City’s property or right-of-way. This general liability insurance policy shall be in an amount not less than \$1,000,000 per occurrence and \$1,000,000 annual aggregate and for property damage of not less than \$50,000.

Data Practices Notice

Every city in Minnesota must comply with the Minnesota Government Data Practices Act (MGDPA), which, in conjunction with other state and federal laws, classifies all government data. Government data are classified in different categories depending on whether they are accessible by the public.

Government data means all data collected, created, received, maintained or disseminated by the City regardless of its physical form, storage media or conditions of use. There is a presumption that government data are public and are accessible by the public for inspection and copying unless there is a federal law, state statute or temporary classification of data that provides differently.

The data supplied in this application will be used to assess the qualifications for a license. This data is not legally required but the City will not be able to grant the license without it. If a license is granted, the data will constitute a public record. The data is needed to distinguish this application from others, to identify this application in city license files, to verify the identity of the applicant, to contact the applicant if additional information is required and to determine if the applicant meets all ordinance requirements.

I hereby certify that all statements made in this application are true and complete and understand that any misstatements or omissions of material facts may result in disqualification or denial of the license. I agree to abide by the provisions of this application, all applicable City polices and ordinances, and provisions set forth in applicable ADA regulations.

Signature of Applicant

Date