



Sidewalk Café Application Packet

Community Development Dept.
4181 Atlanta Street,
Powder Springs, GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

Application Instructions

Please enclose a plan of the proposed Sidewalk Café and its relation to the surrounding public roads. Please show the associated dimensions, clearance measurements, boundaries and landscaping, street location, seating capacity, and accessibility to patrons with disabilities. Also include photograph(s) of proposed Sidewalk Café location.

In addition, complete the enclosed Sidewalk Café Application Form. The information you provide on the application form must match the proposed plan.

Application Submission Checklist

- 1 Application
- 2 Valid Business License
- 3 Proof of Insurance
- 4 Detailed Site Plan (reference UDC 4-272 and Site Plan exhibits attached for details)
- 5 Application Fee (\$25.00)

Contact Information

The Community Development Dept.
4181 Atlanta Street,
Powder Springs GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

Zoning Official
Shaun Myers
Planning and Zoning Manager
smyers@cityofpowdersprings.org
770-943-1666



Business Information

Business Legal Name	Phone
Business Address	Email
DBA Name	Occupational Tax License #
Applicant's Name	Applicant's Title

Proposed Sidewalk Café

Location		Café Dimensions & Seating Capacity		
Street Name	Description of Location	Length	Width	Seating Capacity

Days and Hours of Operation

Day of the Week	Proposed Hours of Operation
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

Applicant's Signature

Signature of Applicant	Printed Name	Date
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Section 4-272. Sidewalk Café/ Right of Way encroachment Permit - Restaurants

Sidewalk Café means a portion of an immobile retail food establishment located on a public right-of-way, whether directly adjacent to, or in close proximity to, the retail food establishment. Sidewalk café also constitutes private establishment that are not adjacent to the right-of-way but are adjacent to the establishment parking lot.

A permit, which shall be known as a Sidewalk Café permit, shall be required to operate a Sidewalk Café. A Sidewalk Café permit shall be valid for one year from March 1st 2020 to and including the last day of March 2020. The application review fee for a Sidewalk Café approval shall be \$25.00.

The applicant shall provide the following information on the application to Community Development:

- (A) Proof that the applicant holds a valid retail food establishment license issued to the establishment that will provide food for the Sidewalk Café.
- (B) A proof of insurance as required by this article.
- (C) A plan for the Sidewalk Café, complying with applicable regulations, and demonstrating that the sidewalk café shall not unreasonably interfere with:
 - (1) adequate pedestrian flow,
 - (2) access to building entrances;
 - (3) pedestrian and traffic safety; and
 - (4) the aesthetic quality of the surrounding area.

INSURANCE REQUIRED. Each applicant for a Sidewalk Café permit shall furnish a certificate of insurance evidencing commercial general liability insurance with limits of not less than \$500,000.00 per occurrence, \$1,000,000.00 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability. The establishment shall provide written notice to be given to the City of Chicago if coverage is substantially changed, canceled or non-renewed.

ASSIGNMENT OR TRANSFER PROHIBITED. No permittee shall assign or transfer a Sidewalk Café permit.

PERMIT FOR ONE RETAIL FOOD ESTABLISHMENT ONLY. A Sidewalk Café shall be for the exclusive use of the licensed retail food establishment stated on the application. Sharing or other joint use of a Sidewalk Café location by more than one retail food establishment shall not be permitted.

PERMIT FOR FOOD AND ALCOHOLIC BEVERAGE SERVICE ONLY. A Sidewalk Café permit shall only authorize food and alcoholic beverage service at the Sidewalk Café. Regardless of what other activity may take place inside the establishment pursuant to license or permit, such activity shall not be allowed at the Sidewalk Café by virtue of the Sidewalk Café permit.

UDC Section 4-272 continues on the next page



Section 4-272. Sidewalk Café/ Right of Way encroachment Permit - Restaurants

OPERATIONAL CONDITIONS. (A) Sidewalk Cafés permitted under this article shall not operate earlier than 8:00 a.m. nor later than 12:00 midnight.

(B) Sidewalk Cafés permitted under this article shall not play music, whether live or recorded, nor allow music to be played at the Sidewalk Café, other than through headphones.

(C) The operator of a Sidewalk Café shall install and maintain a physical boundary separating the permitted outdoor seating from the remainder of the public way. The operator shall leave six feet of public way unobstructed for pedestrian passage;

ALCOHOLIC BEVERAGE SERVICE--REQUIREMENTS. If alcoholic beverages are served at the Sidewalk Café, the operator must be validly licensed under the code for such sales. Alcoholic beverages supplied by the customer or by any person other than the permittee will not be allowed at Sidewalk Café.

COMPLIANCE WITH CODE AND RULES AND REGULATIONS REQUIRED. All holders of a Sidewalk Café permit and their employees shall be subject to and comply with all applicable requirements and standards for retail food establishments contained in the code, as amended, and the rules and regulations promulgated hereunder, and all laws, rules and regulations pertaining to the sale of alcoholic beverages.

VIOLATION--PENALTIES. (A) Any person who violates any of the provisions of this article or regulations promulgated hereunder shall be subject to a fine of not less than \$200.00 nor more than \$500.00 for each offense, and each day such a violation continues shall be deemed a separate and distinct offense.

SIDEWALK CAFÉ BOUNDARIES. Sidewalk café boundaries must not interfere with the accessibility of the public right of way on the sidewalk.

- Sidewalk café boundaries must be positioned so that at least 6 feet separates the outer edge of the barrier from obstacles such as street signs, planters, newspaper dispensers, fire hydrants and bus shelters. Where no obstacles are present, 6 feet must separate other edge of the barrier from the edge of the sidewalk (not including the curb).
- Sidewalk café boundaries must be constructed so that they are free of objects that protrude for example hanging lanterns, signs or other objects mounted on or alongside the café fences or barricades.
- Sidewalk café boundaries must be constructed so that they provide cane detection for pedestrians who are blind or have visual impairments. A continuous uninterrupted fence or barricade meets this requirement if it has a continuous, firm barrier at 27 inches or less above ground. If the fence or barricade is not continuous or if the barricade consists of posts or other objects connected by hanging ropes, chains or nylon strips, a detectable barrier must run continuously along the pedestrian side of the barricade or fence at a height of 27 inches or less.

ACCESSIBLE TABLES. At least 5% but not less than one of the tables in each sidewalk café seating area must be accessible to people with disabilities, including those who use wheelchairs. Accessible tables must be located on an accessible route (see below) and should be dispersed throughout the café seating area.



city of powder springs

Sidewalk Café

Application Exhibits

Exhibit I. Certificate of Insurance

Required for Public Way Use Permits – Certificate of Insurance

CERTIFICATE OF LIABILITY INSURANCE						
<small>ONLY CERTIFICATES WITH ALL THE REQUIRED INFORMATION COMPLETED EXACTLY AS INDICATED BELOW WILL BE ACCEPTED</small>						
ACORD®						
<small>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE. CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER, REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.</small>						
<small>IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(es) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).</small>						
<small>PRODUCER</small>		<small>CONTACT NAME: _____ PHONE: _____ (A/C, No. Exp: _____ EMAIL: _____ ADDRESS: _____</small>	<small>INSURER(S) AFFORing COVERAGE</small>		<small>NAIC #</small>	
<small>INSURED</small>		<small>INSURER A: _____ INSURER B: _____ INSURER C: Insurer must be authorized to insure in Illinois INSURER D: _____ INSURER E: _____ INSURER F: _____</small>				
<small>COVERS</small>		<small>CERTIFICATE NUMBER:</small>	<small>REVISION NUMBER:</small>			
<small>THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.</small>		<small>PER</small>				
<small>PER YR</small>	<small>TYPE OF INSURANCE</small>	<small>ADOL/SUB INS'D. WVD</small>	<small>POLICY NUMBER</small>	<small>POLICY EFF. (MM/DD/YYYY)</small>	<small>POLICY EXP. (MM/DD/YYYY)</small>	<small>LIMITS</small>
<small>COMMERCIAL GENERAL LIABILITY</small>		<small>Provide active policy number</small>				<small>EACH OCCURRENCE DAMAGED TO PROPERTY PREMISES (EX- MED EXP (Any of PERSONAL & AD- GENERAL AGGR PRODUCTS - CO COMBINED SNS (Ex-accident) BODY INJURY / BODY INJURY / PROPERTY DAM (Ex-accident)</small>
<small>GENL AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: _____</small>						<small>Commercial general liability insurance with limits of not less than \$500,000, per occurrence, \$1,000,000 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability</small>
<small>AUTOMOBILE LIABILITY</small>						<small>EACH OCCURRENCE AGGREGATE</small>
<small>ANY AUTO ALL OWNED AUTOS Hired AUTOS</small>		<small>SCHEDULED AUTOS NON-OWNED AUTOS</small>				
<small>UMBRELLA LIAB</small>		<small>OCCUR</small>				
<small>EXCESS LIAB</small>		<small>CLAIMS-MADE</small>				
<small>DED. / RETENTION \$</small>						<small>PER STATUTE EL. EACH ACC EL. DISEASE - EX EL. DISEASE - POLY</small>
<small>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY OFFICER/EMPLOYEE/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below</small>						
<small>DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)</small>						
<small>The following statement must be included in this "DESCRIPTION" section: The City of Chicago, its agents and employees are listed as additional insured in regards to ... (list all specific public way use(s) and location(s) here)</small>						
<small>CERTIFICATE HOLDER</small>			<small>CANCELLATION</small>			
<small>BACP must be listed as Additional Insured: City of Chicago Department of Business Affairs and Consumer Protection 121 N. LaSalle St., Rm. 805 Chicago, IL 60602</small>			<small>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN Must indicate 10 days advance written notice</small>			
<small>AUTHORIZED REPRESENTATIVE</small>			<small>Signature of Authorized Representative</small>			



**city of
powder springs**
Sidewalk Café
Application Exhibits

Exhibit II. Sample Sidewalk Café Site Plan A

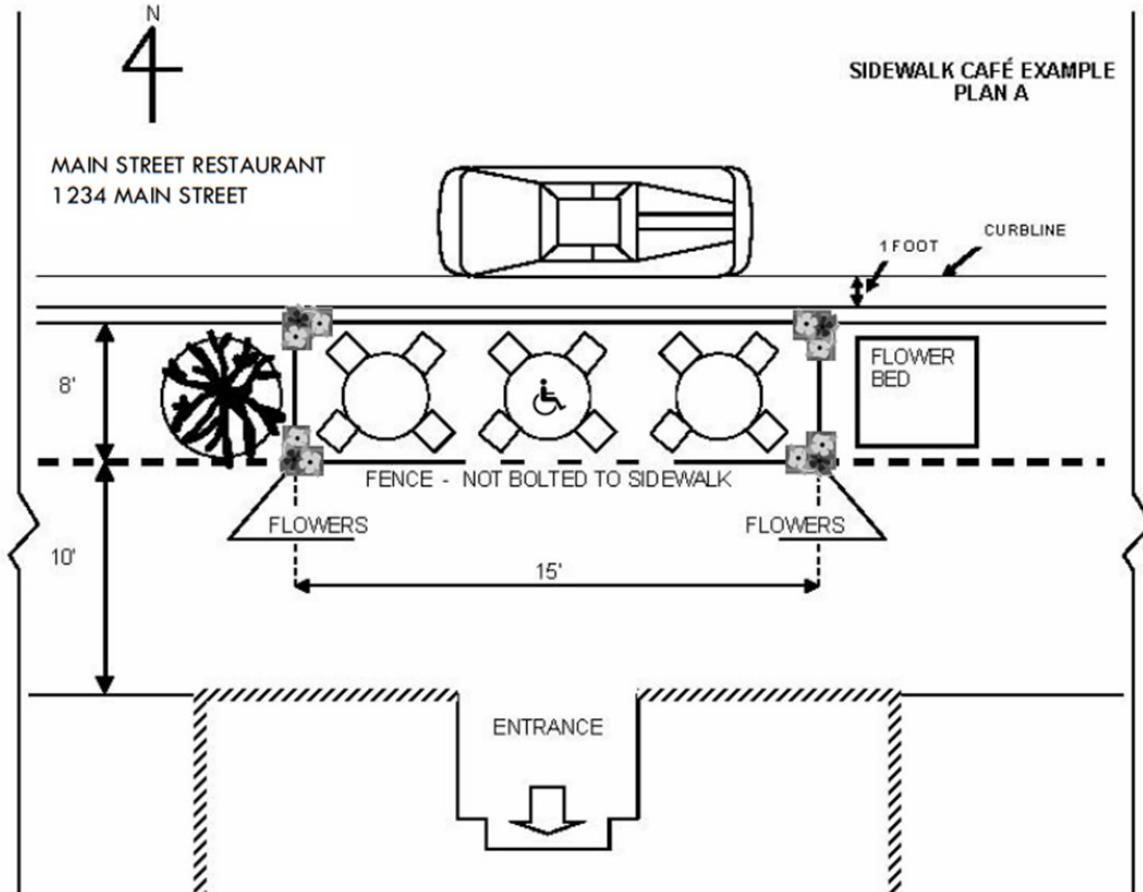
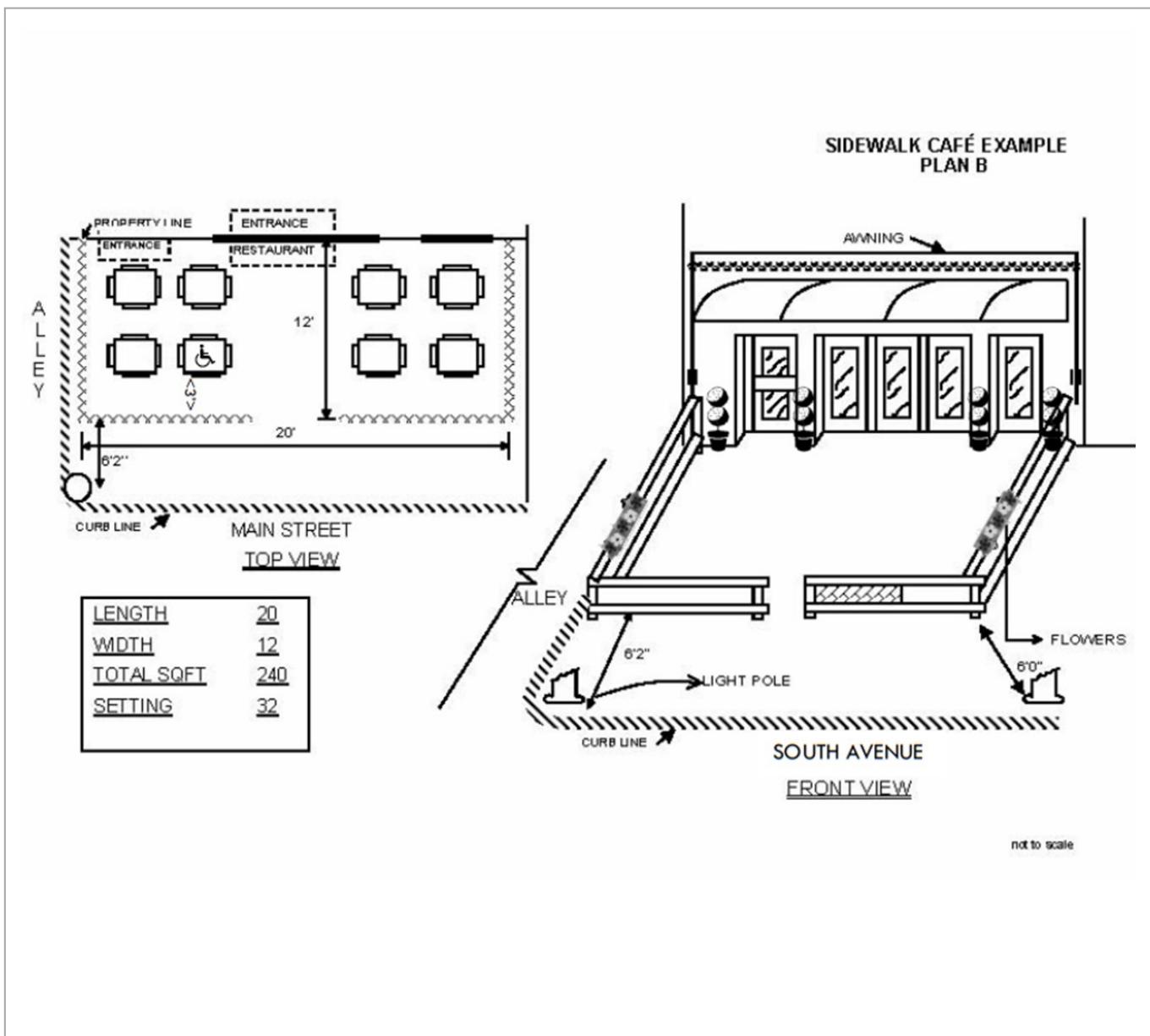




Exhibit III. Sample Sidewalk Café Site Plan B





**city of
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Sidewalk Café
Application Exhibits

Exhibit IV. Sample Sidewalk Café Site Plan C

