

Liquor – Outdoor Service Area (Sidewalk) license APPLICATION REQUIREMENTS

The procedures for obtaining a Liquor-Outdoor Service Area (Sidewalk) license are listed below. You may not set up tables or chairs on the public sidewalk until you have obtained the required license, and Obstruction Permit from Public Works. **Items #1-4 must be submitted with all requests, or they will be returned as incomplete.**

1. A letter requesting that a Liquor-Outdoor Service Area (Sidewalk) license be added to your existing licenses. Please include specific details on how you will operate the outdoor service area (e.g., how you will control the service of liquor and/or wine/beer in this area, will furniture be brought in at business closing time or left out overnight, what are the hours it will be open, etc.). Submit this letter with a completed Supplemental License Application for Sidewalk Seating application form and payment of the annual fee of \$100.00 for a Sidewalk Café license (\$40.00 fee), and Obstruction Permit (\$60.00 fee).
2. A consent petition from the owners of all private residences, dwellings and apartment houses located within three hundred (300) feet of the property* where the proposed outside service area is located. Measurements shall be determined from the property line of the licensed premises to the property line of the residential uses; provided, however, where the licensed premises is located within a shopping mall or shopping center the measurements shall be determined from the nearest corner of the building in which the licensed premises is located to the property line of the residential uses. *Establishments within the downtown development district are exempt from the petition requirement.*

**A map of properties and list of property owners within of 300 feet from your property line is available upon request.*

Depending on the number of signatures you obtain, the following additional information will be required:

- A petition containing 90% of the possible signatures - If the applicant obtains the signatures of ninety (90) percent or more of such persons, the council may grant the license.
- A petition containing 60-89% of the possible signatures - If the applicant obtains the signatures of sixty (60) percent to eighty-nine (89) percent of such persons, the following additional information must be submitted with your petition:
 - A demonstration in writing that the applicant made a good faith effort to fulfill all petition requirements.
- Consent of less than 60% of owners and occupants within three hundred feet. If the applicant fails to obtain the signatures of sixty (60) percent of such persons, the following additional information must be submitted with your petition:
 - A demonstration in writing that the applicant made a good faith effort to fulfill all petition requirements.

- A demonstration in writing that the results of the petition attempt showed a generally favorable disposition from the surrounding community toward the proposed extension of the liquor service area to the sidewalk.
- **Written confirmation from the district council representing the area showing support for the request to extend the liquor service area to the sidewalk.**

NOTE: *For applications having a petition showing less than ninety (90) percent support, the Council may only grant a license application upon finding that issuance of the license would not interfere with the reasonable use and enjoyment of neighboring property and residences and would not bear adversely on the health, safety, morals and general welfare of the community.*

3. Submit insurance certificate showing general liability of at least \$500,000 and stating that the coverage extends to the area used for the sidewalk cafe. The City of Saint Paul must also be named as an additional insured.
4. Attach a site plan showing the sidewalk cafe area. The site plan must be drawn in conformance with the requirements stated in the Sidewalk Café Site Plans Standard handout, and show information including, but not necessarily limited to the following: the placement of tables and chairs, placement of any perimeter barriers separating the seating area from the public walkway (or how you intend to delineate the boundaries of the liquor and/or food service (e.g., chain and bollards, etc.), existing features of the sidewalk (signs, parking meters, trees, grates), dimensions of the sidewalk and seating area, etc.
5. Conditions including the following must be met and maintained for food or beverage service in the public right of way:
 - The site plan, illustrating the arrangement of tables, chairs, any fencing device, existing conditions, etc. (as stated above) must be reviewed and approved by the City of Saint Paul Public Works Department before the license is issued.
 - No sidewalk café shall be permitted on any portion of the public sidewalk where normal pedestrian traffic flow is obstructed. A minimum clearance width of forty-eight (48) inches must be maintained on the public sidewalk at all times.
 - Each year prior to the placement of table(s) and/or chair(s) in the public right-of-way (i.e., sidewalk), the licensee agrees to obtain a new Obstruction Permit from the Department of Public Works. Licensee agrees to maintain the sidewalk café in accordance with the conditions placed on an approved Obstruction Permit, acknowledges that an Obstruction Permit is effective on April 1 and expires on October 31 of each year, that table(s) and/or chair(s) may not be placed in the public right-of-way before or after the effective/expiration dates, and that a failure to comply with this condition will result in adverse action being taken against all of their licenses.

NOTE: Additional requirements/conditions may be placed on this license as determined during the review process.

6. If food or beverages are prepared outdoors, contact the Minnesota Department of Health (MDH) at 651-201-4500 about any State requirements.
7. The additional seating provided in this outdoor area is subject to a Service Availability Charge

(SAC). This charge is a onetime fee imposed by MCES (Metropolitan Council Environmental Services) for new connections or increased volume discharged to the metropolitan wastewater system. In the case of restaurants, the charge is based on the number of seats. Each municipality, in the Seven County Metro Area must collect this fee at time of permit or license issuance. SAC is a separate fee over and above the permit or license fee.

8. PROCESSING TIME / NOTIFICATION REQUIREMENT: The average processing time for a Liquor – Outdoor Service Area (Sidewalk) license is 90 days. A forty-five (45) day notification period is required to the community organization and residents within three hundred (350) feet of the property where the proposed outside service area is located. If objections are received, a hearing will be scheduled before a legislative hearing officer. You will receive notice of the time, place and date of this hearing. The hearing officer will take testimony from all interested persons and will make a recommendation to the City Council. **The City Council will take the hearing officer's recommendation under advisement and has final authority to grant or deny all license application requests.**
9. If you have any questions or require assistance in completing the application and submitting the required supporting documents, please contact a DSI Project Facilitator at 651-266-8989.