

Process and criteria for sidewalk café and street café licenses

Approved by the Minneapolis City Council, July 2006

The application for a license to operate a sidewalk café, or for the use of café area during winter months, heated or unheated, can be obtained from the Division of Licenses and Consumer Services.

A Sidewalk Café License Permit is required to place tables, chairs, or heating units on the public right of way. At the time of application, the applicant will be given a packet of information needed to complete the application. In this packet will be the application form, instructions on how to create a diagram showing the sidewalk café layout, insurance certificate form, and information on alcoholic beverage license request, if needed. Applications for a new sidewalk café location will have a public hearing at the Community Development and Regulatory Services meeting (MCO 265.300) between the submittal of the application and the approval of the City Council which takes approximately four weeks. If applicants currently hold a liquor license, the time is approximately six weeks. To get final approval, the application is routed to the Health Department and the Public Works Department for approval before sending it on to City Council.

Checklist: Sidewalk Café License

Attach a scaled plan of the proposed sidewalk café including the following elements:

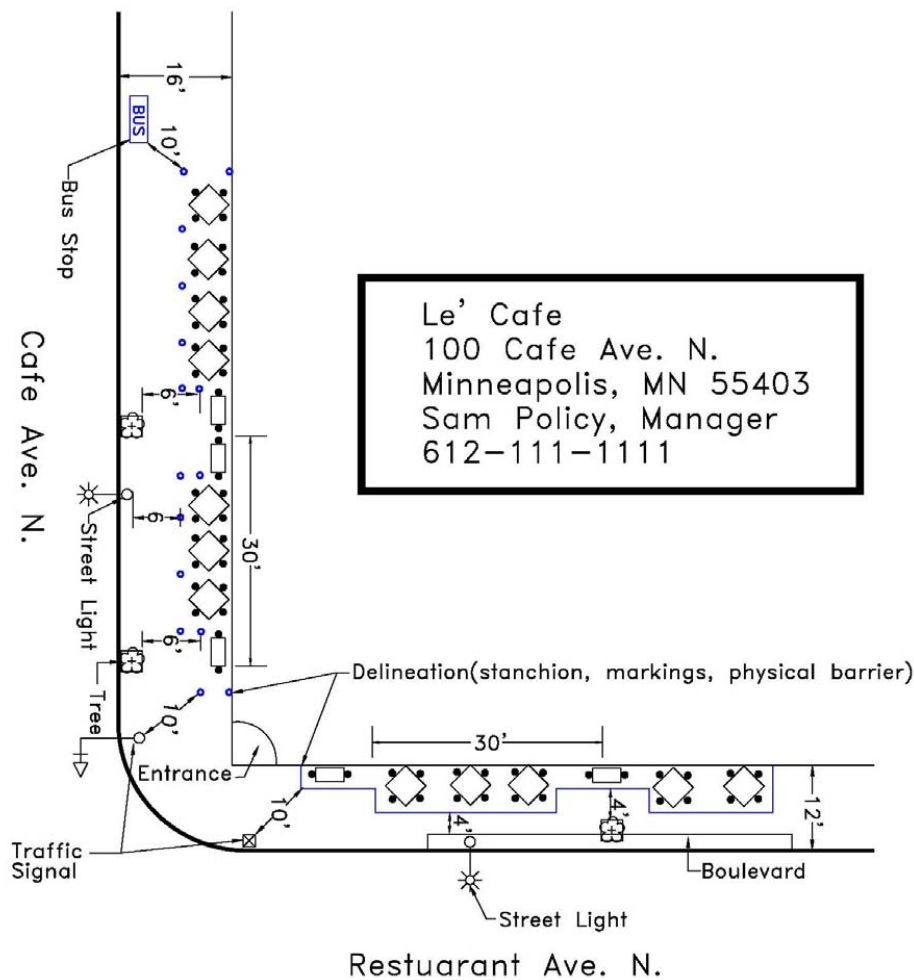
1. The detailed floor plan must cover the entire area between curb and the building, including the curb line and building wall.
2. The plan must show all existing and proposed obstructions in this area. A checklist of possible items to be shown and located on the plan is the following:
 - width of grass area
 - width of sidewalk
 - signposts
 - parking meters
 - miscellaneous (fire hydrants, planters, bus shelters or kiosk)
 - traffic signals
 - trees/grates
 - light poles
 - building entrances/exits
 - emergency exits
3. 5% or a minimum of one (1) table must be ADA accessible.
4. Show the proposed sidewalk café area on the plan including:
 - number and size of tables
 - number of chairs and location to the tables
 - number of heating elements and location of storage area for gas cylinders
 - any other amenities to be placed, such as planters, lights, signs, umbrellas, etc.
 - delineation such as fencing, stanchions, etc.

Indicate whether any of the tables, chairs, heating devices, or other amenities will be physically attached to the public walk. If yes, a Public Works Encroachment Permit and permits associated with the use of any type of fuel for heating (obtained from Minneapolis Fire Department) must be submitted and subsequently approved.

5. Indicate any planted, groomed, or otherwise landscaped areas including boulevard of your building premises that are adjacent to the sidewalk areas.

6. The building wall shall identify all doors, windows, and other openings, as well as any building feature requiring emergency access.
7. Label all streets running in front of or adjacent to the property.
8. Indicate all sidewalk dimensions from building face to back of curb.
9. Indicate business name, address, and phone number on plan. Indicate contact name plus address and phone number if different than business.
10. The entire plan shall be dimensioned and must be on 8 ½- by 11-inch paper. Submit two legible hard copies to Business Licenses application for license.
11. A copy of the plan, license, and any additional permits (those needed for heating units) must be posted on-site and readily available upon request at all times. The name and phone number of sidewalk café manager must be on the plan. If the license and plan are not available, fines can and will be levied.

Example of Sidewalk Cafe Plan



Information Items

1. The City of Minneapolis may approve sidewalk cafés with a standard less than the herein-mentioned standards when both the ADA requirements (four foot minimum) and limited pedestrian volumes are met.
2. A minimum of four (4) feet of clear, unobstructed pedestrian walkway shall be maintained between all obstructions and the proposed edge of café when the existing sidewalk is twelve (12) feet or less and will not extend more than thirty (30) feet where it shall widen to six (6) feet for a minimum of six (6) feet and provide ample room for two or more wheelchairs, strollers, pedestrians, etc., to pass. When two neighboring cafés fall within the thirty (30) foot zone, both will equally share the six (6) foot zone. A minimum of six (6) feet shall be maintained between all obstructions and the proposed edge of café when existing sidewalk is wider than twelve (12) feet. Alignment of tables/heating elements must be straight to the greatest degree possible.
3. Unless specifically exempted, all cafés must be within an area that is physically delineated. Operators may use structural devices (stanchions, planters, etc.) or may mark the sidewalk with paint markings at each corner of the approved area and every eight (8) feet of the area. (This is not permitted on Nicollet Mall.) These markings must be approved by Business Licenses and/or Public Works Traffic and Parking Services. Operation of the sidewalk café outside of the delineated area is not permitted.
4. Cafés approved after the effective date of this policy may be allowed next to street (curbside) on blocks where parking is prohibited. If allowed, a two (2) foot clear zone from *back of curb* must be maintained at all times when tables/chairs are occupied. No new sidewalk café license will be granted after the effective date of this policy if it is to be located next to the street (curbside) if parking meters or active loading zones are present anywhere on the block face.
5. At no time will wait staff be allowed to block pedestrian walkway when taking orders or delivering orders.
6. No portion of a sidewalk café (except those with ten (10) or fewer seats with the approval of Public Works Traffic and Parking Services) shall be located within ten (10) feet of designated bus stop, taxi stand, traffic signal, crosswalk, pedestrian curb cut, or active loading zone.
7. A minimum vertical height of six (6) feet six (6) inches shall be maintained between the sidewalk and the lowest edge of table umbrellas or awnings if the umbrella or awning extends over the edge of the café boundary.
8. All emergency entrances and exits must be clear of obstructions at all times and marked clearly on diagram and Americans with Disabilities Act (ADA) requirements (four (4) foot minimum) shall be met.
9. No permanent attachments to the public sidewalk or other public improvements shall be permitted unless the applicant can provide sufficient proof that no public liability is likely to result and that any damage to public facilities will be repaired upon termination of the sidewalk café facility. A Public Works Encroachment Permit may be required.
10. Existing public street furniture, such as benches, planter boxes, kiosks, and trash receptacles shall not be moved or removed to accommodate a sidewalk café unless it can be determined that such street furniture is no longer needed or that they can appropriately be relocated elsewhere. Any removal or relocation of street furniture will be at the applicant's expense and with City of Minneapolis Business Licenses and Public Works approval.

11. The City of Minneapolis retains all rights to remove or alter any sidewalk café area at any time for public improvements or repairs to City of Minneapolis right of way, in the event of a civic event, or any identified safety issue or hazard.
12. Any sandwich board or menu stand pertaining to the holder of a sidewalk café permit must be located within the approved precincts of the sidewalk café.
13. The sidewalk café license term shall be April 1 to March 31 of each year.
14. Annual license renewal is required for all sidewalk cafés. With the exception of (4), above, as of April 1, 2006, all sidewalk cafés will have to come into compliance with the new policy.
15. Insurance must be submitted on a City of Minneapolis insurance certificate. The effective coverage dates are required to cover the entire length of the season. (Attach certificate to license application.)
16. All licenses are subject to City of Minneapolis approval and renewal plus any local service district review.
17. Failure to comply with any provision of the sidewalk café policy shall result in adverse licensing including but not limited to fines, suspension, and revocation.
18. If at any time ownership of the business changes, the current license becomes void and the new ownership must apply for a new sidewalk café license immediately.
19. Incomplete applications will not be accepted.
20. Use of LP gas for use in any form of heating device must meet City of Minneapolis Fire Department Regulations. Contact City of Minneapolis Fire Department when using any form of heating unit within the sidewalk café. Any permit needed for heating device must accompany the sidewalk café license and plan and be available when asked for.