

CITY OF RACINE
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SIDEWALK CAFES
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questions, answers, rules & basic guidelines



Based on Article III, Division 3, City of Racine Municipal Code, adopted June 7, 2005, and as may be subsequently amended.

(Note: Please consult Article III, Division 3, of the Racine Municipal Code for the complete text)

In an ongoing effort to revitalize and energize our commercial districts, on June 7, 2005 the Common Council of the City of Racine approved Ordinance No. 12-05 being in part, Article III, Division 3, Sidewalk Café, of the Municipal Code. This ordinance is intended to permit sidewalk cafes in certain commercial zoning districts of the City. The following is a summary of Article III, Division 3, and guidelines for appropriate design of sidewalk cafés. It is hoped that based on the Code and guidelines that pedestrians and your patrons will enjoy a safe, pleasing and successful sidewalk café.

SOME QUESTIONS, SOME ANSWERS....

Q. Do I need a permit to have a sidewalk café?

A. **Yes. Contact the City Clerk's office at (262)636-9171 to get details on how to obtain a sidewalk café permit application and to determine what fees there will be.**

Q. Can I obtain approval for a sidewalk café permit if my business does not have a valid restaurant permit?

A. **No.**

Q. Then what exactly is a sidewalk café according to the Code?

A. **A sidewalk café means the area designated in the permit and includes any group of tables, chairs, benches, barriers, or partitions, trash containers and suitable decorative devices maintained upon any part of the sidewalk in the permit area for use by an establishment having a valid restaurant permit or, if not licensed or to be licensed for alcohol consumption in the sidewalk café area, an establishment having a valid prepackaged restaurant permit.**

Q. As a restaurant, can I serve alcoholic beverages in a sidewalk café?

A. **Yes, but... first you will need an alcohol license, and then you will need to apply for a temporary extension of your alcohol license to cover the outdoor area where alcohol beverages will**

be sold, served or consumed. Contact the City Clerk's office at (262)636-9171 for further detail on the alcohol license process.

- Q. Can I set up a tapper or a mini-bar in my sidewalk café area?
- A. No! The bar or area from which the alcohol beverages are dispensed shall be located indoors and not in the sidewalk café area. The alcohol beverages must be sold and served by a licensee or the licensee's employee in compliance with all alcohol beverage law, ordinances and regulations. Contact the City Clerk's office at (262)636-9171 for further detail on the sale, dispensing, serving and consumption of alcohol beverages.
- Q. How long will it take to get a sidewalk café permit?
- A. If a complete application is filed, and barring any complications, the permit should take no longer than 30 days to process.
- Q. For how long is a sidewalk café permit valid?
- A. Sidewalk café permits commence July 1 or any date thereafter when the permit is issued, and they expire on the June 30 following its issuance. Upon making an application, permits may be renewed on a yearly basis BY April 15th of the year.
- Q. During what hours may I operate a sidewalk café?
- A. Sidewalk cafes may be operated between the hours of 8:00 a.m. and 10:00 p.m. for those cafés where alcohol is served, and between 6:00 a.m. and 10:00 p.m. for those cafés where alcohol is not served. In all cases, the sidewalk cafe can be operated only during the hours when food is being served.
- Q. Where can I have a sidewalk café?
- A. If you are located in a B-2, B-3, B-4 or B-5 zoning district you may apply for sidewalk café permit. Contact the Building Department at(262)636-9464 or City Development at(262)636-9152 to determine the zoning of your location.

Q. Can mr sidewalk café be located out by the Curb?

A. No. Your sidewalk café must be located directly adjacent to the building, or portion of the building, where your establishment is located.

KEEP THESE RULES IN MIND WHEN DESIGNING, SETTING UP AND OPERATING YOUR SIDEWALK CAFE:

THE “FIVE FEET” RULES:

Maintain five feet of clear and lineal (straight line) sidewalk path.

Stay five feet away from the curb, curb-cut, street or marked cross walk.

Stay five feet away from fire hydrants, stand pipes, bus shelters or bus stops, parking meter posts, light/power poles, sidewalk benches, kiosks, street trees, planters, planter poles, bicycle racks, mail boxes, garbage receptacles, electric transformers and meters, gas meters, electrical services, utility poles, street art, or other similar obstructions.

THE “VISION THING” RULE:

Don't construct or maintain fencing, or place a barrier or any other object that would obstruct the view for traffic on the streets, alleyways, driveways or for any vehicles traffic path.

THE “GETTING LOADED” RULE:

Don't place your sidewalk café adjacent to any truck, freight, or passenger loading zone, or adjacent to any parking spaces for the disabled

THE “I SAW THE LIGHT” RULE

Keep you sidewalk café area reasonably illuminated, but shield any lighting so as not to shine directly onto your neighbors' property or create a distracting glare to adjoining property users or vehicles in the street.

INAPPROPRIATE FURNISHINGS

Add photos here.

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THE “CONTAIN YOURSELF” RULE:

Any sidewalk café in which alcohol beverages will be sold or served must be contained within a barrier establishing the boundaries of the sidewalk café on at least three sides. The barrier shall be between 34 and 38 inches high, and shall not extend outside the area authorized in your sidewalk cafe permit.

THE “STAY WITHIN THE LINES” RULE:

No part of the sidewalk café can be placed beyond the approved boundaries described in the permit.

THE “OFF LIMITS” RULE:

Other than the approved/designated sidewalk area, you can’t use any public property such as light poles or other utilities poles, planters, trees, meters, sign poles, or other public amenities to attach anything to, including ropes, posters, decorations or signs.

THE “IT MUST BE A SIGN” RULES:

You may have only the name of your business on table umbrellas. Sandwich boards and other signs are permitted but in accordance with the City’s sign ordinances. Menus and wine lists can measure up to nine inches by twelve inches in size.

THE “MARY POPPINS” RULE:

Table umbrellas must be anchored to prevent a sudden gust of wind from lifting them out of their holders, or from blowing them over.

THE “MARTHA STEWART” RULE:

Furnishings and equipment should enhance the aesthetics of the surrounding area, be safe, sturdy and be maintained in good repair.

THE “DON’T WORRY, BE HAPPY” RULE:

You must provide proof of insurance by an admitted carrier in the State of Wisconsin having a “Best” rating of “A-VII”

or better, covering the sidewalk café area to no less than the following levels:

Commercial General Liability: \$1,000,000 per occurrence/general aggregate.

Worker's Compensation: Statutory.

Employer's Liability: \$300,000 disease policy; \$100,000 per employee.

THE "EMILIE POST" RULE:

No person may be served in the sidewalk café unless they are seated.

THE "SOUND OF MUSIC" RULE:

You may not direct music, or allow music to be directed into the outdoor area by means of outdoor speakers or jukeboxes, nor can live music be allowed in the sidewalk café area.

THE "KEEP IT CLEAN" RULE:

You must provide your customers with ready access to covered trash containers. You may not use the City's street side solid waste containers. Remove all trash from the sidewalk café on a regular basis during business hours, and keep your sidewalk area in a clean, orderly, litter-free and hazard-free condition.

THE "GOOD NEIGHBOR" RULE

You must remove from abutting properties any litter which has come from your sidewalk café.

THE "PUT YOUR THINGS AWAY" RULE:

When the sidewalk café is not authorized, or sidewalk café service is not being offered, all associated furniture, furnishings and equipment shall be removed from the sidewalk café area.

THE FOLLOWING ARE SOME BASIC GUIDELINES TO FOLLOW WHEN SELECTING FURNITURE, EQUIPMENT AND FURNISHINGS FOR YOUR SIDEWALK CAFÉ.

All furniture, equipment and furnishings should be suitable for all weather conditions. To further provide good aesthetics and a degree of durability of furniture, equipment and furnishings, follow these dos and don'ts

DO'S...

- Color and design compatible with or neutral to the storefront.
- Steel, rough iron, aluminum, or other similar materials.
- Stackable furnishings.
- Non-porous table tops, chair seats and backs.
- Chairs with plastic seats and backs in colors other than white.
- Barriers using chains or taut canvas within a frame.
- Tables should be no higher than 30 inches.

DON'TS ...

- Structural components of plastic.
- Wooden furniture should not be used.
- Fluorescent colors.
- Lawn or patio furniture.
- Folding furniture.
- Stuffed furniture or over-stuffed cushions.
- Lounge chairs or recliners.
- Bar stools and benches.
- Barriers made of streamers, banners, pennants or loose fabrics.

The following are a few examples of appropriate and inappropriate styles and types of furnishings.

APPROPRIATE FURNISHINGS

Add photos here.