

City of Austin



**500 Fourth Avenue NE
Austin, Minnesota 55912-3773
Phone: 507-437-9940
www.ci.austin.mn.us**

SIDEWALK CAFÉ LICENSE

NEW LICENSE REQUIREMENTS

- Must have current food license or on-sale liquor, wine, or beer license, brewer tap room license, or brew pub on-sale license
- Application for Sidewalk Café License including sidewalk diagram
- Application must be approved by Public Works and Police Departments
- Liability insurance with City named as additional insured & noting that coverage extends to the insured's entire premises including any outdoor service areas
- \$75 Annual Fee – Pro-rated to \$40 minimum

**City of Austin
500 Fourth Avenue N.E.
Austin, Minnesota 55912-3773**



**Steven J. Lang, P.E.
City Engr./Public Works Dir.
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Sidewalk Café Seating Criteria

- 1) Business owner may use exposed aggregate boulevard sidewalk for Sidewalk Café seating, this area is typically 9-ft in width adjacent to the curb.
- 2) The smooth sidewalk adjacent to building shall remain clear for the public, this area is typically 5-ft in width.
- 3) One row of tables will be allowed parallel to the building frontage, generally centered within the exposed sidewalk area.
- 4) The number of tables will be based on the building frontage, using the following:
 - a. 4-person table requires 8-ft minimum
 - b. 2-person table requires 4-ft minimum
 - c. Modifications will be made based on obstructions, such as, street lights, benches, etc.

OFFICE USE ONLY

Receipt No. _____

Date: _____

iWorq Entry: _____

Application for Sidewalk Café License

Name of Business _____

Owner _____

Business Address _____

Attach a scaled diagram showing:

- ▶ the dimensions of the sidewalk café area, position of tables, fixtures and any objects to be placed on the sidewalk.
- ▶ the width of sidewalk remaining for pedestrian traffic.

Also attach a certificate of liability insurance in the amounts of:

- ▶ at least \$50,000 for injury or death of 1 person
- ▶ \$300,000 for injury or death to 2 persons
- ▶ and \$10,000 for damage to property damage.

The certificate must have notation stating coverage extends to the insured's entire premises including any outdoor service areas.

The City of Austin must be named as an additional insured, and the policy shall provide that it may not be canceled except upon 10-day written notice filed with the City Clerk.

I recommend that this license be granted with the following recommendations: _____

Date _____

Chief of Police: _____

I do not recommend that this license be granted:

Date _____

Chief of Police: _____

I recommend that this license be granted with the following recommendations: _____

Date _____

Director of Public Works: _____

As a result of this investigation, **I do not recommend** that this license be granted:

Date _____

Director of Public Works: _____

ORDINANCE NO. 712

**AN ORDINANCE OF THE CITY OF AUSTIN,
MINNESOTA AMENDING CHAPTER 6.59 OF THE CITY CODE
SIDEWALK CAFE**

The Council of the City of Austin does ordain:

Section 1. Austin City Code Chapter 6, Sections 6.59, Subd. 1, 6.59 Subd. 2 (I), and 6.59 Subd. 2. (J) are hereby repealed.

Section 2. A new Section 6.59 Subd. 1 is hereby enacted and should read as follows:

§ 6.59 Subd. 1

Subd. 1. *Permit required.* Any establishment in the city which is licensed by the City of Austin pursuant to § 6.47 to sell food for consumption on designated premises or holds an on-sale liquor, wine, or beer license, brewer tap room license, or brew pub on-sale license may apply to the City Council by and through the City Clerk's Office for a special permit to conduct a portion of such licensed business in a sidewalk cafe or by use of a vending cart on a part of the public way immediately adjoining the licensed premises.

Section 3. A new Section 6.59 Subd. 2 (J) is hereby enacted and should read as follows:

§ 6.59 Subd. 2 (J)

Subd 2 (J). No food or alcoholic beverages are allowed to be consumed or sold for consumption on the permitted area between the hours of 10:00 p.m. and 8:00 a.m. of any day.

Passed by a vote of yeas and nays this 19th day of September, 2022

YEAS 7 NAYS 0

APPROVED:

Stephen M. King, Mayor

ATTEST:

Tom Dankert, City Recorder

This ordinance was introduced on September 19, 2022; approved on September 19, 2022; was published in the Austin Daily Herald on September 24, 2022, and becomes effective October 1, 2022.