Checklist for sidewalk café

Investigator _____

DBA name and address _____

New or **Existing** Type of establishment _____

The following requirements will be completed by the investigator working on your case

____ **Investigator requirement** – verification and copies of the current **City and State** liquor licenses **(if applicable)**

____ **Investigator requirement –** Check the server and master file of the current licensee to see if a "conditional license" has been issued at this location. Is a conditional license in place at this location? _____. If yes, refer to the P & P titled "Conditional Licenses" and follow accordingly.

____ **Investigator requirement** – *church/school location checklist* completed listing all churches and schools within 300 feet of the proposed premise (liquor licensed establishments only) – see **Section 10-212** for all exceptions to this ordinance **(if applicable)**

____ **Investigator requirement –** verification that the applicant will situate the proposed sidewalk café on a public sidewalk (a sidewalk café cannot be situated on a sidewalk that is located on private property) **– Sec. 64-164(a)**

____ **Investigator requirement –** a measurement to include the total number of feet, in width, from the face of the building to the abutting street: _____feet. As stated in the ordinance, tables and chairs for customers cannot be placed on the sidewalk closer than 5 feet from the front of the curb of the abutting street – **Sec. 64-164(d)(9)**

____ **Investigator requirement –** is the sidewalk on a parkway or boulevard? _____ Check the Parks and Recreation Department Web site (on home page, last drop down box is "Publications"; click on "Reference Book"; look up list of "Boulevards") to determine if the sidewalk is on a parkway or boulevard. If yes, the applicant must obtain approval (a signed letter) from the Board of Parks and Recreation Commissioners under the jurisdiction of that board – from the Parks and Recreation Department, 4600 E. 63rd St., (816) 513-7500 **– Sec. 64-164(a)(5)**

____ **Investigator requirement –** verification that the sidewalk café permit **will only** be issued for a business that has a non-alcohol, City business license for the sale and consumption of food and beverages on the premises **or** a business license as a restaurant-bar under chapter 10 of the code, provided that the permit may be issued only if such business is located immediately in front of the sidewalk and the permit shall not be issued for another business located in the same building – a **tavern may not have a sidewalk café license – Sec. 64-164(a)(2)**

____ **Investigator requirement –** As a condition for the issuance of a sidewalk café permit, the applicant shall pay an inspection fee of $250.00 per year (which shall not be prorated for any partial year) to be paid prior to the issuance of the permit **– Sec. 64-164(c)(4)**

____ **Investigator requirement –** A statement in writing from the property owner consenting that tables and chairs may be placed in front of a property immediately abutting and immediately adjacent to the business holding the sidewalk café permit; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the sidewalk café permit by a street or alley – *only if needed* **– Sec. 64-164(d)(7)**

____ **Investigator requirement** – A copy of the final invoice showing all outstanding permit/license fees

*In order to begin processing a liquor application, an **applicant** must submit the following*

____ Liquor license application ***or*** sidewalk café application for non-liquor businesses **– must be signed and notarized**

All of the following information must be submitted by the applicant

Have ***Need***

___ ___ A picture of the premises that will show where the sidewalk café will be located

Have ***Need***

___ ___ Property owner's consent – A statement in writing from the property owner consenting that a sidewalk café is permitted at the proposed address and a copy of the deed (i.e., warranty deed or quit claim deed) proving ownership of property

___ ___ A copy of the certificate of insurance showing the applicant has liability insurance with either a combined single-limit policy of not less than $2 million or a split-limit policy of $300,000/$300,000 bodily injury and $100,000 property damage – the City shall be added as an additional insured to such policy **– Sec. 64-164(c)(3)**

An application can be processed without the **contingency item** listed below. However, the **contingency item** must be submitted before a license will be issued.

Have ***Need***

___ ___ **Investigator requirement** – Include a current copy of the ***Jackson County***, Missouri **Property Tax Clearance** showing there is no property tax due on any personal property owned by the licensee (or used in the activity and owned by a party related to the licensee or by an entity owned or controlled by or under common ownership or control with the licensee) ***or*** have you included written authorization from Jackson County officials stating that an arrangement for the delinquent property taxes has been made between the county and licensee? Direct all questions to Edwin Stoll, Director of Collections of Jackson County at (816) 881-3187.

___ ___ A statement of tax clearance dated within the preceding 90 days from the date of application – from the Business License unit of the Finance Department at 1118 Oak Street, KCMO (816) 513-1135.

___ ___ A copy of the health permit (must be from the DBA applying) – from the Health Department, 2400 Troost Ave., (816) 513-6247

___ ___ All liquor licenses as required from the State of Missouri, Division of Alcohol & Tobacco Control **(if applicable)** – State Office Building in KCMO, 615 E. 13th St., (816) 889-2574

Sec. 64-164. Sidewalk café permit.

(d) *Conduct of sidewalk café permit holder*. A person holding a sidewalk cafe permit (permittee) shall comply with all of the following conditions in connection with the placement of tables and chairs on a sidewalk:

(1) Sidewalk café permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director of neighborhood and community services, other city employees, and the public.
(2) No street or alley shall be blocked by tables and chairs placed pursuant to a sidewalk café permit issued under this section.
(3) The permittee shall comply with all applicable laws, including the Americans with Disability Act.
(4) Tables and chairs shall be securely placed so that they will not endanger the public, or fall or protrude into any street or alley.
(5) Tables and chairs shall not be placed in a manner that creates or causes a nuisance, a fire hazard, or interferes with ingress to or from any building.
(6) Tables and chairs shall only be placed and allowed to remain within the permit area commencing one hour prior to the time permittee opens for business and ending one hour after permittee closes for business.
(7) Tables and chairs shall only be placed in front of the business holding a sidewalk café permit and shall not extend to sidewalks abutting and adjacent to other properties. Notwithstanding the foregoing, the tables and chairs may be placed in front of a property immediately abutting and immediately adjacent to the business holding the sidewalk café permit if the owner of record of the affected property consents in writing in a form approved by the director of neighborhood and community services; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the sidewalk café permit by a street or alley.
(8) The tables and chairs shall not be placed in the street.
(9) Tables and chairs for customers shall be placed no less than five (5) feet back from the front of the curb of the abutting street.