



## COVID-19 TEMPORARY OUTDOOR SEATING AREA

### PERMIT APPLICATION

The Common Council has authorized the appropriate City staff to assist local businesses to obtain necessary approvals to temporarily expand outdoor seating areas, extending through March 31st, 2022. These areas may be needed to assist businesses to comply with social distancing guidelines as the local economy attempts to safely re-open and successfully recover from the COVID-19 health emergency during the outdoor dining season of 2021. A review committee will review and process each application. This committee includes personnel from Planning and Community Development, Building Inspection, Police Department, Fire Department and Clerk Department. If a complete application is submitted with all necessary information, the goal is to process applications in 2-3 business days.

### TEMPORARY USE PERMIT REVIEW PROCESS/PROCEDURE

Completed applications and submittals need to be directed electronically to the Site Plan Review inbox: ([submittals@kaukauna-wi.org](mailto:submittals@kaukauna-wi.org)). Plans can also be mailed to the following address: City of Kaukauna, ATTN: Allyson Brunette, 144 W. Second Street, Kaukauna, WI 54130. *Email submission is preferred.*

Applications may be denied or placed on hold if all required information is not submitted in detail. Upon submittal of all required information, the project will be reviewed and processed by City staff. The review committee will review each project and each department will approve, approve conditionally, or deny the submission in writing. If any department denies the permit, the permit shall be denied in total. The Planning and Community Development Department shall inform the applicant/owner in writing of the approval, conditional approval, or denial of the permit request.

Each application will need the following in order to be processed and reviewed:

1. A Completed application (see page 2)
2. A detailed site plan (drawn by hand or drawn electronically) illustrating the following:
  - a. The location and dimensions of the proposed outdoor seating area in relationship to the building
  - b. The location of property lines and the outdoor seating area
  - c. Parking lot and driveway locations as well as impact on parking spaces
  - d. The number of tables/seats and the distances between them
3. Additional pictures, attachments, and/or renderings that will help the committee best understand the proposal in greater detail
4. Acknowledgement that this is a **temporary approval** for an extended outdoor seating timeframe (to March 31<sup>st</sup>, 2022)
5. Acknowledgement that if the temporary seating area does not comply with the required standards, the approval may be revoked

# COVID-19 TEMPORARY OUTDOOR SEATING AREA PERMIT APPLICATION

## ESTABLISHMENT AND OWNER INFORMATION

Business Name \_\_\_\_\_  
Business Address \_\_\_\_\_  
Name of Business Owner \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email \_\_\_\_\_  
Name of Property Owner (if different than above) \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Does this business currently hold a City of Kaukauna liquor license? \_\_\_\_\_

*If yes, answer question below. If no, skip to Site/Project Description section.*

If YES answered above, please specify how you want to amend the license for temporary outdoor seating: (Example: "Add outside seating out the back door to include 4 parking stalls and a 15'x15' tent with only 1 entrance and exit.")

## SITE/PROJECT DESCRIPTION

*Please describe the proposed outdoor seating area details below.*

Number of tables in proposed outdoor seating area: \_\_\_\_\_

Number of seats in proposed outdoor seating area: \_\_\_\_\_

Existing inside seating capacity: \_\_\_\_\_

*Your existing building capacity will apply across ALL seating areas through the use of this permit.*

*Please see the General Restrictions for Temporary Outdoor Seating Area page, Item #6.*

Number of bathroom fixtures: \_\_\_\_\_

Proposed Days and Hours of Use: \_\_\_\_\_

Number of onsite parking spaces for your business currently: \_\_\_\_\_

Would new temporary outdoor seating area reduce the number of onsite parking spaces?  
\_\_\_\_\_

If YES answered above, please specify how many parking spaces would be eliminated:  
\_\_\_\_\_

Total Current Employees: \_\_\_\_\_

Employees that are estimated to be added by Expansion: \_\_\_\_\_

## PERMIT FEES

There are no fees for this temporary application.

## APPLICANT SIGNATURE

I hereby make an application for a Temporary Outdoor Seating Area Permit as detailed above. I agree to abide by the requirements of all City ordinances and State laws. I understand that the approval of a Temporary Outdoor Seating Area Permit is conditional and that the permit can be revoked or suspended at any time. I agree apply for any and all building permits that may be needed in the construction of this Temporary Outdoor Seating Area.

Signature \_\_\_\_\_ Date \_\_\_\_\_

*Signature may be typed if completing electronically*

# COVID-19 TEMPORARY OUTDOOR SEATING AREA CHECKLIST AND ORDINANCE REQUIREMENTS

## CHECKLIST OF ITEMS REQUIRED WITH APPLICATION

- Completed and signed application on previous page
  - Application may be submitted electronically or by mail.
  - Submit electronically to [submittals@kaukauna-wi.org](mailto:submittals@kaukauna-wi.org) (PREFERRED METHOD)
  - Submit by mail to City of Kaukauna, Attn: Allyson Brunette, 144 W. Second Street, Kaukauna, WI 54130
  - If your business holds a liquor license, be sure to complete the description in the application noting how your premise would be modified by a temporary outdoor seating area
- A detailed site plan (Drawn by hand or drawn electronically) illustrating the following:
  - The location and dimensions of the proposed outdoor seating area in relationship to the building
  - The location of property lines and the outdoor seating area
  - Parking lot and driveway locations (if applicable)
  - The number of tables/seats and the distances between them
- Additional pictures, attachments, and/or renderings that will help the committee best understand the proposal in greater detail
  - Photos, drawings or manufacturer's brochures showing types of tables and seating are helpful and recommended.

## ACKNOWLEDGEMENTS

- This is a **temporary approval** for an extended outdoor seating timeframe (to March 31<sup>st</sup>, 2022).
- If the temporary seating area does not comply with the required standards listed on the following pages, the permit is subject to revocation. See Item #8 on the following page under “Revocability of Permit.”

## GENERAL RESTRICTIONS FOR TEMPORARY OUTDOOR SEATING AREA PERMITS

*Please see the following page for restrictions that apply to certain types of establishments.*

### LOCATION OF OUTDOOR SEATING AREAS:

1. Temporary Outdoor Seating Area Permits are to be granted for seating areas on private property. Proposed outdoor seating in public right-of-way (such as on municipal sidewalks) fall under the City of Kaukauna Sidewalk Café Permit. Contact the Planning and Community Development Department if you have questions about that permit/ordinance.
2. Your site plan should show the dimensions of the proposed outdoor seating area and the distance from the property lines.
3. The application requires that you disclose if the addition of a Temporary Outdoor Seating Area would impact the number of onsite parking spaces your business currently has.

### HOURS OF USE FOR OUTDOOR SEATING AREAS:

4. Temporary Outdoor Seating Areas may operate, serve food or beverages between the hours of 10:00 AM – 9:00 PM on Sunday-Thursday and 10:00 AM – 10:00 PM on Friday-Saturday.
5. No amplified sound or music is permitted outside the enclosed building premises between the hours of 10:00 PM – 8:00 AM.

### CAPACITY OF OUTDOOR SEATING AREAS:

6. The issuance of a Temporary Outdoor Seating Permit does not alter your capacity. The capacity for the licensed premises’ building shall remain the same even with the addition of a temporary outdoor seating area. The intent of this permit is to expand outdoor seating that has been displaced inside businesses by physical distancing recommendations. If you have a question about your business’ capacity, please contact the Kaukauna Fire Department:
  - a. Assistant Fire Chief Craig Schneider, [schneica@kaukauna-wi.org](mailto:schneica@kaukauna-wi.org), (920) 766-6320
  - b. Fire Lieutenant Cody Foss, [fosscd@kaukauna-wi.org](mailto:fosscd@kaukauna-wi.org), (920) 766-6320

7. Businesses shall practice physical distancing by placing tables at least 6 feet apart. Tables shall seat no more than 6 patrons. Provide social distancing signs. These distancing requirements apply to existing outdoor seating and new outdoor seating if this permit is applied for.

#### **REVOCABILITY OF PERMIT:**

8. Businesses that fail to comply with the restrictions of this permit (hours of use, amplified music, social distancing, capacity, etc.) are subject to revocation of their Temporary Outdoor Seating Permit. Revocation of permits will be decided by the review committee, composed of City of Kaukauna staff from the departments noted on the application.

#### **HEALTH AND SAFETY GUIDELINES:**

9. Businesses licensed to prepare and serve food are responsible to follow guidelines of the Outagamie County Health Department in their Temporary Outdoor Seating Area.

## **SPECIFIC RESTRICTIONS FOR TEMPORARY OUTDOOR SEATING AREA PERMITS**

#### **SPECIFIC RESTRICTIONS FOR BUSINESSES THAT DO NOT SERVE ANY ALCOHOL**

1. The Temporary Outdoor Seating Area does not need to be enclosed by a fence.

#### **SPECIFIC RESTRICTIONS FOR BUSINESSES THAT SERVE ALCOHOL WHERE LESS THAN 50% OF GROSS SALES RECEIPTS DERIVE FROM ALCOHOL SALES**

1. Temporary Outdoor Seating Areas must be fenced with a fence, but the material can be temporary in nature, such as a snow fence. Fence height shall be at least 4' in height.
2. Access to the temporary outdoor seating area should, where possible, be made from the main entrance of the building (rather than accessible directly from outside).
3. If accessing the Temporary Outdoor Seating Area is only possible directly from the outside, patrons are not to carry out their own alcoholic beverages. Rather, beverages should be brought directly to patrons' tables by a bartender or member of waitstaff.
4. Temporary Outdoor Seating Areas shall have an emergency exit that meets applicable fire codes.
5. As noted on the previous page, tables shall be separated by at least 6' and should be set for groups no larger than six. For bar seating, physical distancing shall be followed by separating customers in the same group by 2 bar stools.

6. The Temporary Outdoor Seating Area shall be actively monitored by a licensed bartender at all times that it is open for operation.

**SPECIFIC RESTRICTIONS FOR BUSINESSES THAT SERVE ALCOHOL WHERE MORE THAN 50% OF GROSS SALES RECEIPTS DERIVE FROM ALCOHOL SALES**

1. Temporary Outdoor Seating Areas must be fenced with a temporary fence, but that fence must be made of a solid material, such as no dig metal garden fencing. Fence height shall be at least 4' in height.
2. Access to the temporary outdoor seating area should, where possible, be made from the main entrance of the building (rather than accessible directly from outside).
3. If accessing the Temporary Outdoor Seating Area is only possible directly from the outside, patrons are not to carry out their own alcoholic beverages. Rather, beverages shall be brought directly to patrons' tables by a bartender or member of waitstaff.
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