



Development Services Division
620 SE Madison, Unit 6
Topeka, Ks, 66607
Phone: (785) 368-3704
Fax: (785) 368-1650

TEMPORARY SIDEWALK CAFÉ & FENCE PERMIT APPLICATION INFORMATION

- Application for a temporary sidewalk café and/or sidewalk fence permit is made to the Development Services Division – Permit Section located at 620 SE Madison – 3rd Floor.
- Documents for permit application shall contain the information described within City Ordinance #19086, the *Sidewalk Café and Fence Design Criteria*, including a legal description and plan of the area of the public right-of-way being considered, the application and application summary sheet.
- Submittals shall be reviewed by the Public Works and Planning Departments with consultation from the Fire Prevention Division. Development Services will forward the submittal to other appropriate City departments for review if necessary.
- When the submittal documents are approved, contracts will be submitted to the permit applicant for completion. The applicant must include a legal description and plan of the area of the public right-of-way being approved for temporary use within or as an attachment to the contract.
- Development Services will forward the completed contract document(s) to the City's Legal Department and the City Clerk's office for review and approval.
- The City Clerk will forward the contract documents to the City Manager for signature. Upon execution, the contract is recorded with the Shawnee Register of Deeds.
- The approved contract documents will be returned to Development Services and the permit(s) and copies of the contract documents are then issued to the applicant.
- Fees are due when the permit(s) are issued.

The temporary sidewalk café and fence permits and contracts are valid for one year from the date of issuance. Permits must be renewed; renewal applications must be approved and fees paid annually.



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APPLICATION FOR TEMPORARY SIDEWALK CAFÉ AND/OR TEMPORARY SIDEWALK FENCE

DATE: _____

Development Services – Application #: _____ Permit fee: \$ _____
Permit Period: From _____ to Renewal Date: _____

Application to Operate & Install Sidewalk Café New Application Renewal Application
 Application for Temporary Sidewalk Fence New Application Renewal Application

Name of applicant: _____
 (must be owner or occupant of the adjacent business property)

Name of the owner of the property: _____

Mailing Address: _____

Telephone: (____) ____ - _____ Cell: (____) ____ - _____ Fax: (____) ____ - _____

Address of proposed café or business: _____

This property is on the register of historic places? __Y__N

Name of Business: _____ Hours of operation: _____

Name of Business Owner: _____

Proposed number of tables: _____ Proposed number of chairs: _____

Approx. dimensions of sidewalk cafe: _____ feet X _____ feet
 (dimensioned plan as defined by Ordinance #19086 must be submitted by attachment)

General description of proposed fence: __ Height (min. 36" – max. 42") Material: _____
 Color: _____ Basic Design - (posts & rails, pickets & rails, etc): _____
 (elevations and/or photographs of the fence design must be submitted by attachment)

Two (2) copies of the information required by Ordinance #19086, Sidewalk Café and Fence Design Criteria and listed on Page Two of this application are attached.

As the permit applicant, I am responsible for conforming with the provisions of City of Topeka Ordinance #19086 and the Sidewalk Café and Fence Design Criteria. Additionally, the operation of said sidewalk café shall be in conformity with all applicable city and state laws, ordinances and regulations concerning protection of public health and safety, the dispensing, serving, selling or consumption of alcoholic liquor or cereal malt beverages and food preparation and sanitation.

I further understand construction and/or operation of a sidewalk café and/or sidewalk fence are TEMPORARY RIGHT-OF-WAY ENCROACHMENTS ONLY and not permitted within the City's right-of-way until approval of the permit application has been granted. The sidewalk café and fence installation are temporary; the City can require IMMEDIATE either temporary or permanent removal.

 Applicant's Signature



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SUMMARY OF INFORMATION REQUIRED FOR APPLICATION FOR TEMPORARY SIDEWALK CAFÉ AND/OR TEMPORARY SIDEWALK FENCE

In order to process your application for a **SIDEWALK CAFÉ AND/OR SIDEWALK FENCE**, please review Ordinance #19086 and the Sidewalk Café and Fence Design Criteria for a complete description of information, requirements and design criteria. Submit two (2) copies of the information as attachments to this application to the Development Services director or his or her designee with all information clearly indicating conformance to the City's requirements for permit application, review and potential approval. Please use this checklist as a tool for assisting you with your submittal.

- ◇ Indicate the proposed location of the sidewalk café
- ◇ Provide a diagram/site plan illustrating the placement of tables and chairs and walkway area, location of entrances and exits to the restaurant with dimensions; the diagram should also include the location,
 - ◇ size, and material or style of awnings and umbrellas (if applicable) and the type, design, and materials of the proposed chairs and tables, any planters or landscaping accessories and any trash receptacles for the area
 - The site plan shall show the relationship to the interior dining and sidewalk dining areas
 - The site plan shall state the square footage of the interior dining and sidewalk dining areas
 - The site plan shall state the occupant load of the interior and sidewalk dining areas
- ◇ Provide written consent of the building owner if different than the restaurant owner
- ◇ Include your certificate of public liability insurance in the amount of \$500,000.00.
- ◇ Include payment of the annual fee of \$59.00.
- ◇ Upon approval of this permit application, a sidewalk café agreement with the City will be executed.

AND/OR

- ◇ Indicate the proposed location of the sidewalk fence
- ◇ Provide a plan/diagram and elevation drawings of the fence including all dimensions and materials
 - Include a detail of the sidewalk attachment method
 - The plan shall detail the style, design and color of the proposed fence including the posts, railings or barriers
 - The plan must illustrate the placement of the proposed fence showing six feet of pedestrian walkway unobstructed by structures including but not limited to the following: the fence, signs, parking meters, planters, trees, utility poles, benches; and location of entrances and exits to the restaurant with dimensions
- ◇ As a reminder: The fence as designed and constructed shall not pose a threat to the safety of persons or animals.
- ◇ Provide written consent of the building owner if different than the business occupant or building tenant
- ◇ Include your certification of public liability insurance in the amount of \$500,000.00.
- ◇ Include payment of the annual fee of \$59.00.
- ◇ Upon approval of this permit application, a sidewalk fence agreement with the City will be executed.

CONTACT DEVELOPMENT SERVICES DIVISION: (785) 368-3704