

# ROCHESTER

*Minnesota*

## Office of the City Clerk

### SIDEWALK CAFÉ PERMIT NEW & RENEWAL APPLICATION

[Rochester Code of Ordinances Chapter 9-8](#) applies to sidewalk cafes requested in the **public right of way** for any establishment in the City licensed by the County health department to sell food for consumption on its designated premises.

Permits are granted on a three year cycle, with the next cycle running from 2020 through 2022. Businesses applying for the first time or with a change to their layout shall pay the investigation fee and all businesses shall pay the three year license fee for a sidewalk café permit in 2020. Permits issued in 2021 or 2022 shall pay a prorated fee.

If applying by paper application, return all pages of this form with other required documents.

**Instead of sending in this form, applications can be submitted online through the Accela Citizen Access portal. See the following instructions:**

**Register Public User Account (video):** <https://lf.rochestermn.gov/Documents/ElectronicFile.aspx?dbid=0&docid=761310>

**Applying for a New License or Permit (PDF):**

<https://lf.rochestermn.gov/Documents/ElectronicFile.aspx?dbid=0&docid=1210117>

**Submitting a Sidewalk Café Permit Application (PDF):** <https://www.rochestermn.gov/home/showdocument?id=25967>

CHECKLIST OF REQUIRED INFORMATION AND STEPS	
Staff Initials	<b>For your permit application to be processed, you must submit the following to the City Clerk's Office:</b>
	<input type="checkbox"/> Fully completed and signed application form
	<input type="checkbox"/> Payment of permit fee at time of application: <ul style="list-style-type: none"> <li>• For renewals or new applications submitted by Jan. 1, 2020: \$100 for three year period, with a \$50 investigation fee for new applications or new or changed layouts</li> <li>• Starting Jan. 1, 2020, the fees will increase: \$150 for three year period, with a \$100 investigation fee for new applications or changed layouts <i>Applications in 2021 or 2022 will be prorated for the remaining license term</i></li> </ul>
	<input type="checkbox"/> Detailed scaled diagram – <i>contact the City Clerk's Office to obtain a base diagram of your location to use</i> Must show: dimensions of area, position of tables, fixtures, any objects placed on sidewalk & width of sidewalk remaining for pedestrian use
	<input type="checkbox"/> Certificate of Insurance through the end of the current year, showing proof of the following amounts of coverage: <ul style="list-style-type: none"> <li>***\$50,000 for the injury or death of one person</li> <li>***\$300,000 for the injury or death of two persons</li> <li>***\$10,000 for damage to property</li> </ul> The City shall be named as an additional insured in the policy and the policy must provide that it may not be cancelled except upon 10 days' written notice filed with the City Clerk. *Updated insurance must be submitted annually or the permit is subject to cancellation.
	<input type="checkbox"/> Proof of Worker's Compensation Insurance or certification it is not required
	<ul style="list-style-type: none"> <li>• Prior to the issuance of your license, all obligations due the City of Rochester must be paid in full. This includes any license fees, as well as real estate taxes, other assessments, utility charges, and any other charges owed to the City.</li> </ul>

- An initial review will be performed by the Public Works Department and the City Clerk's Office verifying suitability of the submitted layout.
- For establishments holding an on sale liquor, wine, or beer license, Community Development will review the application to ensure the sidewalk café is not within 200 feet of a residentially-zoned district.
- The Common Council will consider the license application for approval.
- Licenses will be issued prior to the start of service for the first license year, after the premises have been set up and inspected to make sure the layout matches the approved diagram.

**Fill in all blanks. Write N/A if a question is not applicable.**

**Is this a renewal of an existing or previous license with the City of Rochester?**  YES  NO

**STEP 1. APPLICANT INFORMATION**

1. First Name		2. Last Name	
3. Primary Telephone Number	4. Type of Phone: <input type="checkbox"/> Cell <input type="checkbox"/> Business <input type="checkbox"/> Home <input type="checkbox"/> Other	5. Alternate Phone Number	6. Type of Phone: <input type="checkbox"/> Cell <input type="checkbox"/> Business <input type="checkbox"/> Home <input type="checkbox"/> Other

7. Email Address

8. Mailing Address	9. City	10. State	11. Zip Code
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12. Please send official notices relating to this license to:  <input type="checkbox"/> Mailing Address <input type="checkbox"/> Email <input type="checkbox"/> Business Address	13. Role of person completing application: <input type="checkbox"/> Owner <input type="checkbox"/> Officer <input type="checkbox"/> Partner <input type="checkbox"/> Manager <input type="checkbox"/> Agent for the Owner <input type="checkbox"/> Other _____
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**Information about primary point of contact for this license (if different than above)**

14. First Name		15. Last Name	
16. Primary Telephone Number	17. Type of Phone: <input type="checkbox"/> Cell <input type="checkbox"/> Business <input type="checkbox"/> Home <input type="checkbox"/> Other	18. Alternate Phone Number	19. Type of Phone: <input type="checkbox"/> Cell <input type="checkbox"/> Business <input type="checkbox"/> Home <input type="checkbox"/> Other

20. Email Address	21. Role of primary contact: <input type="checkbox"/> Owner <input type="checkbox"/> Officer <input type="checkbox"/> Partner <input type="checkbox"/> Manager <input type="checkbox"/> Agent for the Owner <input type="checkbox"/> Other _____
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**License Holder Information**

**Provide information about who this license will be issued to**

22. Business Federal Tax ID Number	23. Business State Tax ID Number		
24. Entity license will be issued to (Legal Corporate Name of Business including LLC, Inc., Co., etc., or, <i>only if sole proprietor</i> , name of individual)	25. Business Trade Name (DBA) if different than legal name		
26. Business Address	27. City	28. State	29. Zip Code

**STEP 2. LICENSE DETAILS**

**License Information**

30. As an applicant/licensee, I am:

Starting a new business in a new location

Taking over an existing business (License transfer to New owner – same business name)  
If yes, name of existing business: \_\_\_\_\_

Taking over an existing business as a new license holder (New license)  
If yes, name of prior business: \_\_\_\_\_

Adding a new sidewalk café to an existing business

**Business Information**

31. Does the business applying have a current license from the Olmsted County Health Department to sell food for consumption on the premises?

Yes  No

\*If no, do NOT complete this application, The business is not eligible for a sidewalk café license.

32. Planned Date to start sidewalk café operations:

\_\_\_\_\_

33. Does the business have a current on-sale intoxicating liquor, wine, or beer license from the City of Rochester?

Yes  No

34. Describe the area intended for use as a sidewalk café and the activities intended to be permitted in that space. This description must match the submitted diagram.

**Insurance Information**

Policy information must be verified before license approval. You must provide copies of all required insurance certificates for liability insurance and worker's compensation insurance.

**Worker's Compensation Insurance**

Workers' Compensation Company

Policy Number

Dates of Coverage

**OR:**

I certify that I am not required to carry workers' compensation insurance because:

- I am self-insured.
- I am the sole proprietor and I have no employees.
- I have no employees who are covered by workers' compensation law.

Only employees who are specifically exempted by statute are not covered by the workers' compensation law. These include spouse, parents, and children regardless of age. All other workers whose work is controllable by the employer must be covered.

**STEP 3. REQUIRED DOCUMENTS**

**Submit the following required documents:**

- **Scaled Diagram – a base plan of the sidewalk area adjacent to the business is available from the City**
- **Proof of liability insurance for the current year (updated insurance must be provided each year of the permit in order for it to remain in effect)**
- **Proof of worker's Compensation insurance, unless exempt**

**STEP 4. REVIEW & VERIFICATION****Notice of Collection of Private Data**

The information collected and required as part of a license application will be used to determine eligibility for a City of Rochester License or Permit. Disclosure of this information is voluntary. It is not legally required to provide requested data, however, failure to do so may mean the City of Rochester is unable to process this application.

Social Security Numbers, if provided, are classified as private data, and are not available to the public. Access to this data is limited to staff with a business need in order to determine license eligibility, and to administer and manage the licensing program.

Disclosure of a Social Security Number (or Individual Tax ID Number only for individuals without a social security number), and a Minnesota Tax ID Number is required by Minnesota Statutes 270C.72, and this information may be requested by and released to the Minnesota Commissioner of Revenue.

All other information contained in this application is public information upon submission pursuant to the Government Data Practices Act, Minnesota Statutes Chapter 13. Individuals have the right to see and obtain copies of the data maintained on them, including private data, and also have the right to be told the contents and meaning of the data, and to contest the accuracy and completeness of the data.

**Notice of Ability to Sign up for Electronic Notifications of Proposed City Ordinances**

As an applicant for a business license or renewal of an existing business license, you are also hereby notified that the City of Rochester distributes general city information and notices through an electronic notification system, and you may sign up to receive notices through this electronic notification system on the City's website at <http://www.rochestermn.gov/i-want-to/sign-up-for/email-updates> This includes notice of proposed ordinances at least 10 days prior to final adoption by the City Council in accordance with Minn. Stat. 415.19.

**A SIGNATURE VERIFYING THE OVERALL ACCURACY AND COMPLETENESS OF THIS APPLICATION BY THE OWNER, PARTNER, OR OFFICER IS REQUIRED IN ORDER TO PROCESS THIS LICENSE APPLICATION**

I, (print name) \_\_\_\_\_, agree I will strictly comply with all the laws of the State of Minnesota governing the taxation of business and all ordinances of the City of Rochester, and understand I can review all City ordinances on the City website or in the City Clerk's Office.

I affirm I have no intention or agreement to transfer the permit being applied for to another person or entity, or to allow any other person or entity to operate under the authority of this permit. I understand that by submitting this application, I hereby consent to allow the appropriate City personnel, or any authorized representative or agents, to inspect the licensed premises for the purpose of ensuring compliance with the law, at any time the business is occupied and/or open for business. I also understand that a denial of permission for such a lawful inspection of the premises is a violation of the license provisions.

I hereby certify that I have read and understand every question in this application and that the answer to every question is true to my knowledge, information and belief. I further understand that the giving of false information as part of this application, regardless of when it is discovered, and/or failure to give required pertinent information can constitute cause for denial, suspension, or revocation of my business license.

Signature of Applicant \_\_\_\_\_ Printed Name \_\_\_\_\_