

RENEWAL APPLICATION SIDEWALK SERVICE AREA PERMIT APPLICATION PACKET

GENERAL APPLICATION INSTRUCTIONS

Effective Date: May 1, 2024

This is the Application Package to renew a City of Mason City Sidewalk Service Area Permit. Sidewalk Service Area permits are generally valid for one year. Annual renewals shall be reviewed by the Development Services Director. If the sidewalk service area continues to operate in accordance with the initial permit, the renewal shall be granted. The Development Services Director may impose any conditions they deem necessary to minimize the impact of the sidewalk service area on neighboring properties and to ensure that the sidewalk service area does not pose a threat to public health and safety. If the Development Services Director determines that the operation, scope or area of the sidewalk service area have changed significantly from that approved in the initial permit, they may require the owner or operator to submit a new permit for review by the City Council.

This application package is intended for “Food-primary Establishments” and “Liquor-primary Establishments.” The permit will authorize the service of food or alcohol on a public sidewalk or public plaza, contiguous with and having direct access to any building where a food-primary establishment or a liquor-primary establishment is located, and where food or beverages are taken for consumption by persons sitting or standing at tables in that area.

FEE: \$30.00 to be paid at the time of application.

APPLICATION PROCESS:

Please fill out the attached *Application Form* and submit the application, proof of insurance, and alcoholic beverage license (if applicable) to the Development Services Department.

APPROVAL PROCESS:

Establishments must apply for renewal of a previously granted sidewalk service area permit prior to operation. Annual renewal applications are reviewed by the Development Services Director. If the sidewalk service area continues to operate in accordance with the initial permit, the renewal will be granted. If the Director determines that the operation, scope, or area of the sidewalk service area has changed significantly, the application will be considered an initial application and must be approved by the City Council.

CONDITIONS OF APPROVAL:

For all permit renewals, the Development Services Director may impose any conditions necessary to minimize the impact of the sidewalk service area on neighboring properties and to ensure that it does not pose a threat to public health and safety.

All Sidewalk Service Area Permits are subject to the following conditions, as identified in Title 5-1F-3 of the Municipal Code

APPLICATION CHECKLIST

Use this checklist as a guide to prepare your application. Submitting a complete application will result in quicker permit approval. All items identified on the checklist are required unless otherwise noted.

☐ **Application**

- Please ensure that all pages of the enclosed application are accurately completed and all the necessary signatures are provided.
- For additional information, please read Title 5, Chapter 1, Article F of the Mason City Municipal Code, available on the City's web site, www.masoncity.net.

☐ **Proof of Insurance**

- No applicant will be granted a permit renewal unless they have first obtained liability insurance or an amendment or rider to an existing liability policy that covers both the insured, the City of Mason City, and its officers and employees against liability that may arise from the operation of the sidewalk service area.
- The insurance must provide at least one million dollars (\$1,000,000) of coverage per occurrence with a total cumulative coverage of at least two million dollars (\$2,000,000).
- The proof of insurance must list the City as an alternate insured under the policy.

☐ **Alcoholic Beverage License (only for establishments serving alcohol.)**

- Provide a copy of your State of Iowa Alcoholic Beverages License showing that an outdoor service area has been authorized by the state.
- If your outdoor service area has been authorized for 14 days or less, provide a copy of your letter of authorization from the Iowa Alcoholic Beverage Division showing the dates the outdoor service area permit is valid.
- If you do not yet have a valid license, or if your license does not authorize an outdoor service area, please apply for the appropriate license online at the Iowa Alcoholic Beverages Division at their web site: <https://abd.iowa.gov/licensing>

If you need assistance completing this application or have questions about the application process, please contact the Development Services Department at 641-421-3626 or visit the office in person on the 3rd floor of City Hall, 10 First St. NW, Mason City.

City of Mason City

Development Services Department

10 First St. NW

Mason City, IA 50401

641-421-3626

OFFICE USE ONLY

RECEIVED ON _____

APPROVED ON _____

SMARTGov # _____

SIDEWALK SERVICE AREA APPLICATION

Please print or type

BUSINESS INFORMATION:

Permit # _____ Date initially approved or last renewed _____

Business Name _____ Business Phone _____

Premise Address _____

Mailing Address _____

City _____ State _____ Zip _____

Phone _____ eMail _____

Managers Name _____ Managers Phone _____

Business Owner _____

Business Owner Mailing Address _____

City _____ State _____ Zip _____

Phone _____ eMail _____

APPLICANT INFORMATION

Applicant Name _____

Applicant's Mailing Address _____

City _____ State _____ Zip _____

Phone _____ eMail _____

PREMISES INFORMATION

Type of Establishment: Food-primary _____ Liquor-primary _____

Dates of Operation _____ Hours of Operation _____

Will the sidewalk service area be arranged and managed in accordance with the plans submitted and approved with the original approved permit? (If not, a new Sidewalk Service Area permit may be required. Contact the Development Services Department.)

Yes _____ No _____

Has the ownership of the establishment changed since the application was approved or since the last renewal? (If so, a new Sidewalk Service Area permit may be required. Contact the Development Services Department.)

Yes _____ No _____

Will alcoholic beverages be consumed in the Sidewalk Service Area?

Yes _____ No _____

If yes, when does the Alcoholic Beverage License expire? _____

If yes, does the business have an Outdoor Service Permit? Yes _____ No _____

SIGNATURES

By signing below, applicant and owner agree to comply with Title 5.1F of the Mason City Municipal Code and all other conditions and special conditions in the City's policy for issuance of a Sidewalk Service Area permit. Any permit so issued shall be subject to revocation by the City for failure to meet or to maintain the area of the sidewalk café in strict accordance with the requirements of Title 5.1F or to comply with other applicable laws, rules, regulations, orders or directives. In addition, the applicant and owner agree to indemnify the City for any and all losses, claims, actions, judgments for damages or injury to persons and property and losses and expenses caused or incurred by the applicant and owner, its servants, agents, employees, guests business invitees, and not cause by or arising out of the tortious conduct of the City of Mason City or its employees.

SIGNATURE OF APPLICANT

DATE

PRINTED NAME OF APPLICANT

SIGNATURE OF BUSINESS OWNER

DATE

PRINTED NAME OF BUSINESS OWNER