



**SIDEWALK CAFÉ LICENSE APPLICATION**  
 City Clerk, Suite 204 – City Hall  
 301 Washington Avenue, Bay City, MI 48708  
 (989)894-8168

Sidewalk cafés are permitted on City-owned sidewalks and designated on-street parking areas pursuant to licensing regulations at Chapter 30, Article X of the City’s Code of Ordinances. Licensees should be aware of the following:

- The placement of commercial advertising (banners, etc.) on licensees’ café enclosure railings and on street lights, utility poles or any other improvement located on City-owned sidewalks and streets is prohibited by sign regulations at Chapter 122 of the City Code. Please contact the City’s Neighborhood Services Department at (989)894-8156 for information about the City’s sign regulations.
- Cafés in on-street parking areas in the Midland Street Historic District are subject to design guidelines established by the City’s Historic District Commission pursuant to regulations at Chapter 64 of the City Code. Please contact the City’s Historic Preservation Officer at (989) 894-8179 – smckillop@baycitymi.org – for additional information.

**BUSINESS NAME & LOCATION**

Business Name:

Business Address:

**APPLICANT INFORMATION**

Applicant’s Name:

Applicant’s Address:

City:

State:

Zip:

Applicant’s Phone:

Applicant’s Email:

**CAFÉ INFORMATION**

New application: \_\_\_\_\_

Renewal application: \_\_\_\_\_

Will alcoholic beverages be served? Yes \_\_\_\_\_ No \_\_\_\_\_

Type of café: \_\_\_\_\_ Seasonal - April 1 - November 1  
 \_\_\_\_\_ Partial – (must provide beginning & end dates) \_\_\_\_\_ through \_\_\_\_\_

***Cafés may be established within designated on-street parking areas on or after May 15<sup>th</sup> and must be disassembled and removed from designated on-street parking areas by or before November 2.***

Hours of operation: \_\_\_\_\_ through \_\_\_\_\_

Will live entertainment be provided? Yes \_\_\_\_\_ No \_\_\_\_\_

Will loudspeakers be installed? Yes \_\_\_\_\_ No \_\_\_\_\_

**BUILDING OWNER (required if applicant does not own the building/storefront in which the applicant’s business is located)**

Building Owner’s Name:

Building Owner’s Address:

City:

State:

Zip:

Phone:

Email:

## CAFÉ PLAN

This application must be submitted with a plan illustrating the layout of your café in relationship to your building and sidewalk. Applications submitted without plans will be returned to applicants. Please contact the City's Neighborhood Services Department (894-8156) if you require assistance with this requirement.

Café plans must: 1) be prepared in black on plain white 8.5 inch by 11 inch paper; and 2) illustrate the location of all features and improvements listed below.

1. The building or storefront at which your café will be located. Please indicate the width of the building or storefront in feet.

2. The width of the sidewalk between your building/storefront and street.

3. Café on sidewalk. Show the location of and label all of the following:

- a. Light fixtures, utility poles and signs.
- b. Café enclosure. Indicate length and width of enclosure.
- c. Tables, electrical outlets and food/beverage service equipment.
- d. Café enclosure plan (cafés in Midland Street Historic District only)

Café in on-street parking area. Show the location of and label all of the following:

- a. Light fixtures, utility poles and signs.
- b. Café enclosure. Indicate length and width of enclosure.
- c. Tables, electrical outlets and food/beverage service equipment.
- d. Café enclosure plan (cafés in Midland Street Historic District only)

## MIDLAND STREET HISTORIC DISTRICT DECK GUIDELINES

1. Decks must be enclosed by railings not less than 36 inches or greater than 42 inches in height. Greater railing height is permitted upon review by Neighborhood Services Department staff when an area of the deck is expected to provide bar stools. Two separate entrances to decks must be provided.

2. Spacing between the balusters shall not be greater than 4 inches.

3. Railings shall be of wood or metal. Metal railings should have the appearance of wrought iron.

4. The color of the deck shall compliment the color of the business location.

5. Deck floors may be of plank or plywood construction and stained a dark color. Bright colors are not permitted.

6. Indoor/outdoor grass or carpet is not permitted.

7. Planter or flower boxes are permitted and must be secured to the deck.

8. Decks are subject to review by the City's Construction Services Department to assure proper runoff of rainwater.

## INSURANCE REQUIREMENTS

1. General Liability

Major and minor sidewalk cafe licenses shall carry comprehensive general liability insurance, including premises and all operations, through companies licensed and admitted to do business in Michigan, which shall provide protection from all claims of damage or injury, including death, to persons and property which may arise out of, result from, or be caused by licensee's use or occupancy of the premises or its operations conducted thereon, with occurrence and aggregate limits of not less than \$500,000 of comprehensive general liability coverage. The certificates and policies of the required comprehensive general liability insurance shall provide and be endorsed as follows:

*"The City of Bay City, its officers and employees are additional insureds. This coverage is primary to the City, and is not contributing or pro rata with any other insurance or similar protection (e.g., risk management association) which is or may be available to or carried by the City."*

2. Proof of Insurance

Proof of Insurance will be required prior to a license being issued by the City Clerk.

**BUILDING OWNER & APPLICANT SIGNATURES**

Applicant covenants and agrees to hold harmless from, indemnify, and defend the City, its agents, officers and employees against all suits, demands, claims, judgments, liens, cost of repair or replacements of any damaged public facilities, or costs, attorney fees and expenses which may arise out of, result from, or be caused by Applicant's sidewalk cafe. Applicant covenants and agrees to strictly comply with all terms and conditions of the Sidewalk Cafe Ordinances and further understands and agrees that the City Commission, in its sole and absolute discretion, may approve, deny, or set conditions or limitations on any sidewalk café which may be approved, or may at any time alter, amend, modify, rescind, or revoke any approval, all without recourse or remedy by the Applicant, or liability of the City. Applicant covenants and agrees, upon issuance of the Sidewalk Cafe License, to defend, indemnify, save and hold harmless the City, its officers, agents and employees, from any liability for damages resulting from any and all occupancy and operations under the License.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness Signature: \_\_\_\_\_

Printed Name \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Building Owner's Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**CITY CLERK USE ONLY**

License Fee: Minor \_\_\_\_\_ \$50 Date paid: \_\_\_\_\_

Major \_\_\_\_\_ \$100 Date paid: \_\_\_\_\_

Insurance Certificate on File: \_\_\_\_\_

License No. \_\_\_\_\_ Date Issued: \_\_\_\_\_ Expiration Date: \_\_\_\_\_