Expedited Temporary Extension of Class B Licensed Premises

Ordinance Pending Common Council Approval: On June 16, the Common Council is considering an ordinance that creates a streamlined way for you to temporarily expand your licensed premises. If the council approves this ordinance, it can consider on that same night any applications it has received by June 15 at 5:00 p.m. If you wish to be considered under this program at the same meeting, please apply using the form below by **Monday, June 15, 2020 at 5 p.m**. Applications received after that time will be considered at the next regular Common Council meeting.

Purpose: Class B licensees who wish to expand their premises in order to maintain social distancing for the health and wellbeing of their patrons and staff may apply for the expedited temporary extension. If granted, approved extensions expire the day after the next Common Council meeting. Applications will be automatically reapproved unless an objection has been filed or any alderperson wishes to consider the reissuance of the extensions.

Effective Date: If passed by the Common Council, this Ordinance shall be in full force and effect on June 17, 2020, and shall be repealed on November 18, 2020. After such time the licensed premises will return to that which was granted with the annual renewal application or any subsequent permanent extensions.

Application Submittal Requirements: Only completed applications with a floor plan of the proposed extension and permanently licensed premises will be processed for consideration.

Other Licenses: Licensees may be permitted to extend their existing entertainment and music licenses into the extension area upon approval by the Common Council. (Licenses must already be issued to the licensees.)

Objections: If objection is received, the council will consider the special extension application at its next regular meeting just like any new license application and may reject it or place special restrictions on the extended premises (hours, number of people, etc.)

Conditions:

1) The extended premises must be contiguous to the licensed premises and must either be owned by or be under the control of the licensee or extend on to a public sidewalk.

(2) The extended premises, other than premises extending on to a public sidewalk, shall be enclosed in a manner that the ingress and egress of patrons may be monitored.

Hours of Operation Limitation:

- Sunday – Thursday operations must cease at 9:00 p.m.
- Friday – Saturday operations must cease at 10:00 p.m.

Toilet Facilities: Sufficient number of toilet facilities shall be provided to accommodation the total capacity of the permanent and temporary license premises. Put another way, please limit the maximum number of people indoors and outdoors to your normal indoor capacity to ensure you have enough toilet facilities.

Public Right of Way/Sidewalk: Expedited Extensions which include use of Public Sidewalk must comply with the following requirements and may not have items in the public right-of-way for more than 90 days.

- Any premises extended into a public sidewalk is granted a privilege to place only movable tables and chairs on that premises.
- The licensee shall maintain a clear path 3 feet wide for pedestrian traffic.
- The licensee assumes primary liability for damages to person or property. No bond is required.
- The licensee is obligated to immediately remove any obstructions upon notice by the city
- The licensee is not entitled to damages for removal of an obstruction, and if the licensee does not remove the obstruction upon notice, it may be removed at the licensee's expense.
- Third parties whose rights are interfered with by the granting of a privilege have a right of action against the licensee only.

Payment and Posting Required:

If granted, licenses will not be issued until a payment of TBD has been received by the Clerk's office. Submit Payments by mail or in the overnight dropbox of City Hall. Extensions will not be valid unless the license extension is posted in the licensed area.

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Fill out the following application and submit to clerk@westalliswi.gov. A copy of the floor plan of the proposed extension along with a plan of the permanently licensed premises must be attached for the application to be processed.

Please note – this program is subject to approval of the related ordinance. It will be considered by the Common Council on June 16. If you wish to be considered for the time period right after the council meeting (June 17 to July 15), your electronic application must be submitted by Monday, June 15 at 5:00 p.m.

Check List all license types: ☐Class B ☐ Food ☐Music/Entertainment, list type: _____

Name of Applicant:

Trade Name:

Address of Premises:

Phone Number:

Email Address:

Current Licensed Premises Description:

Proposed Temporary Premises Description:

(a copy of the floor plan for both current and proposed premises must accompany the application)

Identify the specific area(s) for which the special extension of premises is requested. Area must be contiguous to the current licensed premises. Check all that apply and select the location of the area (example: north side, front, etc.)

☐Sidewalk café (public sidewalk) at the ☐ North ☐ South ☐West ☐ East side of the premises

☐Patio (concrete surface) at the ☐ North ☐ South ☐West ☐ East side of the premises

☐Beer garden (soil/grass surface) at the ☐ North ☐ South ☐West ☐ East side of the premises

☐Deck (attached to building) at the ☐ North ☐ South ☐West ☐ East side of the premises

☐Other: Describe area(s):_____

☐Does extension area have an additional street address? No Yes If yes, list address:_____

Hours of Operation for the ***proposed*** extension (may not be later than 9pm Sun – Thur; 10 pm Fri – Saturday)

Sunday	_____	to	_____	Thursday	_____	to	_____
Monday	_____	to	_____	Friday	_____	to	_____
Tuesday	_____	to	_____	Saturday	_____	to	_____
Wed.	_____	to	_____				

Your application will be considered at each council meeting until November 18 unless you inform the clerk that you wish to withdraw your application.

____ Occupancy ____ 2020 Proposed Inside Occupancy ____ 2020 Proposed Outside Occupancy

Number and Type of Toilet Facilities # of Women's Toilets _____# of Men's Toilets _____

# of Men's Urinals_____ # of Temporary Toilets _____

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☐ I understand that the following conditions apply if granted the extension:

- The extended premises must be contiguous to the licensed premises and must either be owned by or be under the control of the licensee or extend on to a public sidewalk.
- The extended premises, other than premises extending on to a public sidewalk, shall be enclosed in a manner that the ingress and egress of patrons may be monitored.

☐ I understand that the hours of operation are limited to the following:

- Sunday – Thursday operations must cease at 9:00 p.m.
- Friday – Saturday operations must cease at 10:00 p.m.

For applications requesting the use of public sidewalk:

☐ I understand that the following conditions apply if granted the extension:

- Any premises extended into a public sidewalk may place only movable tables and chairs on that premises.
- The licensee shall maintain a clear path 3 feet wide for pedestrian traffic.
- The licensee assumes primary liability for damages to person or property. No bond is required.
- The licensee is obligated to immediately remove any obstructions upon notice by the city
- The licensee is not entitled to damages for removal of an obstruction, and if the licensee does not remove the obstruction upon notice, it may be removed at the licensee's expense.
- Third parties whose rights are interfered with by the granting of a privilege have a right of action against the licensee only.

☐ I certify the information submitted in this application is true and understand that false statements or failure to adhere to the conditions may result in denial of future licenses/permits and/or revocation of this extension.

Applicant Name: _____ Date: _____

Submit application to clerk@westalliswi.gov.

Submit Form