



CITY OF FITCHBURG, COUNTY OF DANE
APPLICATION FOR TEMPORARY CHANGE OF PREMISE
TO ALLOW EXPANDED OUTDOOR SEATING DUE TO COVID-19
See Additional Information on reverse side. Contact the City Clerk at (608) 270-4200 if you have questions.

Approval Date: _____

Expiration Date: 9:00 p.m. September 7th, 2020

1. APPLICANT INFORMATION

(a) NAME (Name of Corporation, LLC, Partnership, etc): _____

(b) TRADE NAME (dba): _____

(c) LICENSED ADDRESS: _____ PHONE NUMBER: _____

(d) AGENT OR OWNER: _____

(e) NAME AND ADDRESS OF PERSON IN CHARGE: _____

Address _____	First	M.I.	Last
(Street)	(City)	(State)	(Zip)

Date of Birth _____	Phone # _____	Email _____
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(f) RECEIVED CONSENT OF OWNER IF APPLICANT IS OTHER THAN THE OWNER: YES: _____ NO: _____

Written confirmation of the property owner, in the event the property is not owned by the applicant, of consent to expand the premise description must be included.

2. REQUESTED TEMPORARY PREMISE DESCRIPTION

(a) Detailed Floor Plan Included **(**Please attach a separate illustration or draw a diagram of physical layout of expanded premises, including serving area, with this application**)** If expansion will be into the parking lot, must identify the number of parking stalls lost. No loss of handicapped parking stalls will be allowed.

(b) Days of Operation for Expanded Area: _____

(c) Hours of Operation for Expanded Area (must be no later than 9 pm): _____

(d) Proposed Additional Capacity for Expanded Area: _____

3. SIGNATURE OF AGENT OR REPRESENTATIVE

I understand that this application is for a TEMPORARY change of premises only, and that at 9 pm on September 7th 2020, the premises description will automatically revert to the premises description as it was prior to this change.

I hereby make the above the above application for an extension of licensed premise as described above and declare under penalties of law that the information provided in this application is true and correct to the best of my knowledge and belief and agree to abide by the requirements.

X: _____ Date: _____
 (Signature of Agent or Representative)

TO BE COMPLETED BY CITY STAFF

Date Received by Clerk's Office: _____

Pre-Meet Approval: _____ Date _____

Common Council Date: _____ Extension Approved: _____ Extension Denied: _____

Primer on Expanded Premise Licenses

A beverage license is a privilege issued by the city. Its issue and retention is conditioned on the licensee's agreement to act in the public's interest.

Expanded Premise Permit

A current alcohol licensee may apply for a temporary change in their premise description. It is within the discretion of the City to approve or disapprove the change and the City may impose standard or special conditions. Application forms may be obtained from the City Clerk or on line.

The Process

Temporary Expanded Premise License applications are submitted to the Clerk, reviewed by staff (police, and Building & Fire Inspectors), recommended by the Public Safety and Human Services Committee, and approved by the City Council. To obtain an expanded premise permit license please submit or do the following:

1. Expanded Premise License Application (City Web Page/Dept-City Clerk/Permits).
2. A detailed sketch showing service areas, exits, and the dimensions of the area for which the permit or license will apply.
3. Certificate of Insurance.
4. The applicant should submit the application and all materials to the Clerk.

Standard Conditions for Expanded Premise Licenses

1. Violation of any of the conditions, approved plans, alternative conditions or requirements, shall be grounds for denial of applications for subsequent events or for action for suspension or revocation of licenses by the Common Council, for prosecution of any ordinance violation, or combination of the above. Licenses and permits aside, the licensee or permittee agree to the termination of an event if the Police Chief determines activities are or will become dangerous or when necessary to protect public health, safety or welfare.
2. Over-Service, Over-Consumption, and Serving Intoxicated Persons is prohibited. Licensees have the responsibility to develop and implement effective alcohol service policies, practices, staffing, employee training and management systems to prevent Over-Service, Over-Consumption, and Serving Intoxicated Persons.
3. At least one licensed beverage operator shall be present and able to see at all times the activities of those persons serving and selling alcoholic beverages.
4. Persons manifesting intoxication or who cannot legally be in a licensed premise shall not be admitted.
5. All alcohol sales and consumption shall cease in the Temporary Change of Premise areas by 9:00 pm. The regular licensed premise description may continue in accordance with State law and any other previously imposed conditions.
6. The licensed or expanded premise area shall be clearly delineated, if outdoors. If expansion will be into the parking lot, must identify the number of parking stalls lost. No loss of handicapped parking stalls will be allowed.
7. If tents or temporary structures will be used, approval must be granted by Building, Fire & Electrical Inspectors (meeting with City staff). (Tents or temporary structures used less than 180 days, and in excess of 120 square feet shall comply with the current State of Wisconsin Enrolled Building Code Chapter 31 titled —Special Construction and reference code sections.)
8. Waste receptacles shall be provided and emptied as necessary.
9. Plans and operations for the restaurant and/or bar including the temporary expanded outdoor premise shall be in compliance with Dane County Public Health and Forward Dane requirements in all reopening phases, in addition to sector specific requirements, and WEDC Guidelines.

Fitchburg Temporary Change of Premise Application Guidelines To Allow Expanded Outdoor Seating Due to COVID-19

- The establishment needs to currently operate under a conditional use permit (CUP) from Fitchburg Plan Commission for a restaurant and/or bar.
- Applicant must have a current alcohol license and not be delinquent as it relates to property taxes, personal property taxes, municipal utility bills, fees, special assessments, sales taxes and unemployment compensation taxes.
- Restaurant/and/or bar will provide a separate illustration or diagram of physical layout of temporary expanded outdoor premises, including number of tables and seats in the serving area.
- Days of the week and anticipated hours of operation for the temporary expanded outdoor premise should be stated as part of the application process.
- Written confirmation of the property owner, in the event the temporary expanded outdoor premise is not owned by the applicant, of consent to expand the premise description must be provided.
- Identify the number of parking stalls lost, if applicable, and the anticipated area where the parking capacity lost will be re-located to. No loss of handicapped parking stalls allowed.
- Adequate fencing and/or delineation of temporary expanded outdoor premise will be required.
- Details on how the temporary expanded outdoor premise patrons will have access to restroom facilities and that there are adequate restroom facilities per current and expanded temporary premise occupancy.
- If a use is near a public sidewalk it must allow adequate room for pedestrian traffic and be ADA compliant.
- Plans for emergency egress and severe weather (lightning, wind speed) situations.
- The temporary expanded outdoor premise will need to be inspected by City of Fitchburg staff prior to permit being issued.
- The use and site changes cease on Monday, September 7, 2020 and restaurants/bars need to dismantle temporary expanded premise areas by end of business day Tuesday, September 8th. Any premise use beyond that date or permanent premise changes would require formal approval per City of Fitchburg ordinances.
- Plans and operations for the restaurant and/or bar including the temporary expanded outdoor premise shall be in compliance with Dane County Public Health and Forward Dane requirements in all reopening phases, in addition to sector specific requirements, and WEDC Guidelines.