

## **Application for a Downtown Sidewalk Café, Restaurant, or Bar Permit**

***Reference: Chapter 250 (Miscellaneous Business Regulations), Part 8 (Downtown Sidewalk Cafes) of the City Ordinance Code [2007-107](#)***

### **Definitions**

Operating a downtown sidewalk café, restaurant, or bar means serving food or beverage (including alcoholic beverages) if the café, restaurant, or bar is legally authorized to serve same from an adjacent café, restaurant, or bar to patrons seated at tables located within the sidewalk area or alleyway immediately adjacent to the café, restaurant, or bar frontage.

Excluded and precluded from this definition is the preparation or storage of food/beverage (including alcoholic beverages) on the sidewalk or alleyway. Such approved and valid sidewalk café permitted areas are deemed part of the permitted premises for all requirements of the law.

Sidewalk means the portion of the street between the curb lines or the lateral lines of roadway and the adjacent property lines intended for use by pedestrians.

### **Requirements for Sidewalk Bar**

1. A permit issued by the JEDC is required to operate a downtown sidewalk bar associated with an adjacent bar on City sidewalks.
2. A permit fee in the amount of \$250 is required for operating a downtown sidewalk café. The permit fee is to be collected by the Tax Collector, and receipt of payment provided to the JEDC prior to issuance of the permit.
3. Must be located within the boundaries of the Bay Street Town Center Entertainment Zone. Bay Street Town Center Entertainment Zone means properties located within the Bay Street Town Center area, which abuts Bay Street from Liberty Street to Ocean Street.
4. All beverages are prohibited from being prepared outside the main structure on the premises of the bar (including sidewalk area or alleyway), and all beverages must be served from within the main structure on the premises of the bar.
5. The bar owner shall, in addition to all other requirements of law, take responsible steps to insure that alcoholic beverages are consumed by patrons of the bar who are of legal age and not by passerby or persons who are not of legal age or who are obviously intoxicated. Patrons of the bar shall not be allowed to leave the bar or sidewalk café area while drinking alcoholic beverages. Reasonable steps shall include the use of moveable barriers, such as moveable planters or fences to define the permitted area, supervision of the outside area by security or staff personnel, and/or surveillance by electronic monitors. Failure by the bar owner to take such reasonable steps and use them at all times that alcoholic beverages are consumed in the sidewalk café area is grounds for termination of the sidewalk café permit and shall not be deemed an adverse action against the issuance of any future sidewalk café permit.

### **Requirements for Sidewalk Café or Restaurant**

1. A permit issued by the JEDC is required to operate a downtown sidewalk café, or restaurant associated with an adjacent café or restaurant on City sidewalks.
2. A permit fee in the amount of \$250 is required for operating a downtown sidewalk café. The permit fee is to be collected by the Tax Collector, and receipt of payment provided to the JEDC prior to issuance of the permit.
3. Is located within the boundaries of the Central Business District, as defined by the Comprehensive Plan, the boundaries of which are coterminous with the Downtown Overlay, as defined by Section 656.361.12 (and meeting the definition of commercial zone).
4. All food must be prepared on the premises of the café or restaurant (excluding the sidewalk area), and all food and beverages must be served from the premises of the café or restaurant.
5. The café or restaurant shall, on an annual calendar year basis, derive not less than 51% of its gross income from the sale of food and nonalcoholic beverages prepared, sold and consumed on the premises and sidewalk area.
6. The café or restaurant shall be open for the sale and purchase of prepared food at any time alcoholic beverages are available for sale and purchase.
7. The café or restaurant owner shall comply at all times with the Downtown Property Maintenance Code.

### **Requirements to Accompany the Application**

1. Provide Copy of Applicant's current business license and/or valid liquor license (if applicable)
2. Provide Certificate of Insurance (Sec. 250.807. Liability and Insurance)
3. Provide a drawing showing the width of the applicant's existing café or restaurant facing the sidewalk area requested to be used, location of doorways, width of sidewalk, distance from curb to building face, if different, location of trees, parking meters, bus shelters, sidewalk benches, trash receptacles, or any other semi-permanent sidewalk obstructions.
4. A Drawing showing the area requested for use as a downtown sidewalk café with the table located together with the area which will be occupied by the table and accompanying chairs, location and size of any required features used to delineate the area such as portable planters, and visually depicting the reasonable steps proposed by the applicant to comply with the necessary patron control requirements (Refer to Sec. 250.806. Location rules and review).
5. Any such additional information (including other permits or approvals by other governmental agencies) as may be needed by the JEDC to evaluate the compatibility of the proposed use of the sidewalk with the City's pedestrian and other uses of the sidewalk (Refer to Sec. 250.806. Location rules and review).

### Additional Information

1. During inclement weather conditions (wind, rain storms, etc.) all chairs, umbrellas, food, table accessories, trash and other debris shall be collected and secured within the restaurant. At the close of business each day tables and chairs shall be structured adjacent to the building and secured, or stored in the building.
2. At least two trash containers must be provided at all times. All food and beverage spills must be cleaned up in a timely manner. Therefore, all sites must maintain a clean and attractive condition at all times.
3. JEDC may request additional information (including other permits or approvals by other governmental agencies) as deemed necessary and appropriate to evaluate the compatibility of the proposed use of the sidewalk with the City's pedestrian and other uses of the sidewalk
4. The JEDC may suspend, revoke, or deny permit of any sidewalk cafe, restaurant, or bar if the applicant is found to be in violation of any part(s) of part 8, Chapter 250 of the Miscellaneous Business Regulations section of the Municipal Code.
5. The JEDC reserves the right to temporarily suspend any permit if it is determined that a *community event* will necessitate the use of a sidewalk area under permit.
6. If there is a violation the applicant will be notified in person or by certified mail. The first offense is a reprimand; the second offense is a written warning and a third offense will result in an automotive suspension. Upon suspension, the applicant has five working days to appeal in writing to the JEDC. The authority must then rule within ten 10 days of receipt of the letter of appeal.
7. The Jacksonville Economic Development Commission is authorized to inspect and enforce any and all provisions of the Sidewalk Café ordinance.

If you have any questions regarding the application process, please contact Jim Klement of the Jacksonville Economic Development Commission at (904) 630-2689, or [klement@coj.net](mailto:klement@coj.net), or visit [www.jaxdevelopment.org](http://www.jaxdevelopment.org).

- Provide Copy of Applicant's current business license and/or valid liquor license (if applicable) (Sec. 250.804. Application for Permit)
- Provide Certificate of Insurance (Sec. 250.807. Liability and Insurance)
- Drawing 1 (Sec. 250.804. Application for Permit)
- Drawing 2 (Sec. 250.804. Application for Permit)
- Permit Fee Paid to the Tax Collector and copy of receipt payment provided (Sec.250.803.Permitt Fee)
- Any additional information (including permits or approval by other governmental agencies) as may be needed by the JEDC (Sec. 250.804. Application for Permit)

**DOWNTOWN SIDEWALK CAFÉ, RESTAURANT, OR BAR  
APPLICATION/PERMIT**

Pursuant to Chapter 250, Ordinance Code, an Application is hereby made for a Downtown Sidewalk Café Permit.

1. Applicant's Name \_\_\_\_\_
2. Applicant's Mailing Address \_\_\_\_\_
3. Applicant's Contact Phone Number \_\_\_\_\_
4. Address of Property to be Permitted \_\_\_\_\_
5. Description of Service to be Sold \_\_\_\_\_
6. Days & Hours of Operation \_\_\_\_\_
7. Current Zoning \_\_\_\_\_
8. Legal Description of Property to be Permitted \_\_\_\_\_

This application is made under the penalties of Section 837.06, Florida Statutes, and the provisions of Chapter 250, of the Municipal Code. The giving of false or misleading information in the application is ground for suspension or revocation of the permit. I have received and read a copy of the Sidewalk Café Ordinance, Rules, and Requirements, as issued by the City of Jacksonville and the Jacksonville Economic Development Commission.

Applicant's Signature		Date	
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**FOR JEDC USE ONLY**

<b>Date Permit Approved</b>	
<b>Date Permit Expires</b>	

JEDC Signature		Date	
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