

CITY OF NEENAH
Application for Outdoor Extension of Retail “Class B”, Class “B”
and/or “Class C” License

Individual Partnership Corporation Limited Liability Company

Name: _____
(Individuals/Partners/Registered Name of Corporation/LLC)

If Partnership, Corporation or LLC, list names and addresses of all members:

Address of premise for which this outdoor extension is being applied for: _____

Trade Name: _____

Business Phone: _____

Is the Outdoor Area sought to be included within the description of your “Class B”, Class “B” and/or “Class C” premise:

- Within a C-1 General Commercial, C-2 Central Business, PDD Planned Development and I-1 Planned Business Center zoning district? Yes No
(If no, the premise does not qualify for an outdoor extension)

- Located within 150 feet of a property zoned R-1 or R-2 for residential use? Yes No
If no, skip to the next question.
If yes, does the property provide a 20-foot buffer between Outdoor Premises and the adjoining lot containing the residential use? Yes No
If yes, is there a privacy fence six feet in height separating the commercial property from the residential property? Yes No
(If either of the above questions are no, then the premise does not qualify for an outdoor extension)

- If the property does not adjoin property for residential purposes and is located other than in the front yard, is it completely surrounded by an attractive wall, fence, or barrier at least four feet in height?

 Yes No N/A *(If no, the premise does not qualify for an outdoor extension)*

- If the outdoor premise is located in the front yard, is it completely surrounded by an attractive wall or fence with a minimum height of three (3) feet and approved by the City of Neenah Community Development Department.

 Yes No N/A *(If no, the premise does not qualify for an outdoor extension)*

- Does any opening where persons may pass from the outdoor area to an unlicensed area contain signs indicating that open intoxicants are prohibited beyond the licensed premises?
 Yes No
(If no, the premise does not qualify for an outdoor extension)
Are signs posted towards the area outside of the licensed outdoor area indicating that persons under age 21 are not permitted without legal guardian at least 21 years of age?
 Yes No *(If no, the premise does not qualify for an outdoor extension)*

- Is the extension obstructing the public right-of-way? (i.e. sidewalk) Yes No
(If yes, an application for a sidewalk café must be filed concurrently with this application. Approval of this application and the sidewalk café application are contingent upon one another)

- Does this application include a site plan for the outdoor area sought to be included within the description of the licensed premise? Yes No
Has the \$125 Site Plan Review Fee been paid? Yes No
(If no, the premise does not qualify for an outdoor extension)

Approval by the Common Council under Section 11.12(18) of the Code of Ordinances of the City of Neenah shall result in the outdoor area becoming a part of the description of the Premises, with said outdoor area also being subject to all State and City laws, rules, regulations, and lawful orders governing "Class B", Class "B" and/or "Class C" Premises.

What type of activity is planned for the outdoor area? _____

Outdoor Area Uses: The outdoor premises shall only be used for serving food & alcohol and for smoking purposes. No part of said area shall be used for recreational activities, including, but not limited to, volleyball, horseshoes, darts, and softball. Service in the outdoor premises shall be limited to persons seated at tables. Number of Tables: _____

Temporary Wind Break: Between December 1 and March 31, windbreaks consisting of a minimum 3/16 inch thick clear acrylic material meeting all local and state codes and referenced standards may be installed on the perimeter of the outdoor premises. The Temporary Wind Break shall comply with the requirements of Wis. Stat. §101.123 so that the outdoor premise does not become an enclosed place as defined in Wis. Stat. §101.123(1)(ak) when the Temporary Wind Break is installed. No obstructions of any kind may be posted on the clear acrylic material.

Music Prohibited: Amplified sound from any source is prohibited within 150' of residential property.

Sound: Sound from any source that is emitted from the outdoor area and measured at any border of the real property on which the licensed premises is located shall not exceed 75 db from 7 a.m. to 9 p.m. and 65 db from 9 p.m. until closing. Three or more noise complaints filed against the owner of an Outdoor Premise during a license period (July 1 to June 30), and verified by the Neenah Police Department, shall constitute sufficient grounds to revoke the Outdoor Premises Permit granted under this section, subject to a hearing requirement under section 4-96 of the Municipal Code.

Lighting: Lighting of the area must be shielded and not be of intensity or brilliance to create glare which is distracting to adjoining property owners or can become a hazard or danger to vehicular traffic.

Closing Hours: All service in the outdoor premises (beverage and food) shall stop no later than bar closing as set by §125.32(3) and 125.68(4): Mon-Fri 2 a.m. and Sat-Sun 2:30 a.m.

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. Applicant acknowledges receiving a copy of Ordinance No. 2011-08 and agrees to comply with its terms and conditions should this application be approved. (Individual applicants, each member of a partnership, officers of a corporation and members of an LLC must sign)

(Partner/Individual/Officer of a Corporation, Member of an LLC)

(Partner/Officer of a Corporation/Member of an LLC)

(Additional Partner/Officer of a Corporation/Member of an LLC)

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____
DAY OF _____, 20____.

Clerk/Notary Public
My Commission Expires:

TO BE COMPLETED BY CLERK

Date Received: _____

Clerk Signature: _____

Date \$125 Site Plan Fee Paid: _____ Account No. 010-0000-534-11-00

Receipt No: _____

Date to Plan Commission: _____ Granted Denied

Date to Public Services & Safety Committee: _____ Granted Denied

Date to Council: _____ Granted Denied

Resolution No: _____ Date Adopted: _____

License No. Issued: _____ Date: _____

**Note: License will not be issued until final inspections are complete. New June 2012:
Sidewalk Café/Outdoor Extension of Class B Premise are done by Resolution.**