

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

The Common Council has authorized the Community Development Department to assist local businesses to obtain necessary approvals to temporarily expand their outdoor seating areas through October 1, 2020. These areas may be needed to assist businesses to comply with social distancing guidelines as the local economy attempts to safely re-open and successfully recover from the COVID-19 health emergency during the summer and fall months of 2020. If the seating area is desired for permanent or long-term use the established municipal code standards and processes will need to be applied for through the City Clerk’s Office.

Temporary Use Permit Review Process/Procedure

Completed applications and submittals need to be directed electronically only (i.e. email) to the Department of Community Development (communitydevelopment@ci.neenah.wi.us). Applications may be denied or put on hold if all required information is not submitted in detail. The Department will review each project and will approve, approve conditionally, or deny the submission in writing. Each application will need the following in order to be processed and reviewed:

- 1) A Completed Application.
- 2) A detailed site plan illustrating where the outdoor seating area will be located; number of tables, seats, etc. Additionally it will need to demonstrate where surrounding property lines, street rights-of-way, parking lot, and driveways are located.
- 3) Additional pictures, attachments and/or renderings that will help the committee best understand the proposal in greater detail.
- 4) Acknowledgement this is a temporary approval for the remaining outdoor seating timeframe (to October 1st, 2020).
- 5) Acknowledgement that if the temporary seating area does not comply with the required standards, the approval may be revoked.

Conditions for Approval

To be in compliance with the City of Neenah ordinance pertaining to temporary outdoor extension, the following conditions must be met:

- Submit a detailed site plan showing the location of the proposed outdoor seating area in relation to property lines, buildings, parking areas, streets, and other features on the property. In addition, show the location of tables and chairs and include the type of barrier that you plan to surround the area with.
- The outdoor area must be located in a C-1 General Commercial, C-2 Central Business, PDD Planned Development or I-1 Planned Business Center zoning district.
- If an outdoor area is located within 150 feet of a property zoned R-1 or R-2 for residential use then;
 - the outdoor area must be located a minimum of 20 feet away from the residential property;
 - a privacy fence six feet in height and sight tight must be installed between the outdoor area and the adjoining lot containing the residential use, and

- ❑ amplified sounds from any source is prohibited.
- The outdoor area should be completely surrounded by a vertical demarcation (e.g. fence, rope, chain, etc.) at least three feet in height.
- Signs must be located near any opening where patrons may pass from the outdoor area to an unlicensed area that indicate that open intoxicants are not prohibited past the opening.
- Signs must be located near the outside of the licensed outdoor area indicating that patrons under age 21 are not permitted with a legal guardian who is at least 21 years of age.
- The outdoor premises shall only be used for serving food & alcohol and for smoking purposes. All occupants must be seated. 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.
- **Service in the outdoor premises shall be limited to persons seated at tables.**
- 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 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.
- 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.



Community Development Department
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Neenah, WI 54957-0426
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E-mail: communitydevelopment@ci.neenah.wi.us

**APPLICATION FOR TEMPORARY OUTDOOR EXTENSION
RETAIL “CLASS B”, CLASS “B” AND/OR “CLASS C” LICENSE**

Name of Applicant/Owner _____

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

Establishment Name: _____

Contact Phone: _____ Email Address: _____

Number of Tables: _____

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. 2020-07 and agrees to comply with its terms and conditions should this application be approved.

(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)

TO BE COMPLETED BY DEPARTMENT OF COMMUNITY DEVELOPMENT

Date Received: _____

BY: _____

Date of Review: _____

Granted Denied

Application Reviewed By: _____