



APPLICATION FOR SPECIAL PRIVILEGE APPROVAL

Village of Shorewood
 Planning & Development Department
 3930 N. Murray Avenue,
 Shorewood, WI 53211
 Phone: 414.847.2640
 Email: pad@shorewoodwi.gov
www.villageofshorewood.org

OFFICE USE ONLY		FEE	\$100.00
Permit ID		Received	
Insurance Certificate Exp.			
P & D Approval			
Village Board Date		Approved	Y N

Approval by the Village Board of Trustee's is required before any temporary or permanent object is placed within the public way throughout the Village of Shorewood, including overhanging objects according to provisions of Section 66.0425 of the Wisconsin Statutes.

Property Address:			
Improvement Category (check one)			
<input type="checkbox"/>	Plantings	<input type="checkbox"/>	Outdoor Seating (*Exhibit 1)
<input type="checkbox"/>		<input type="checkbox"/>	Parklet (*Exhibit 2)
<input type="checkbox"/>		<input type="checkbox"/>	Other
Description of Public Way Improvement:			
Reason for Public Way Improvement:			
APPLICANT INFORMATION		PROPERTY OWNER INFO (if different from applicant)	
Name		Name	
Address		Address	
City/State/Zip		City/State/Zip	
Phone	Alt. Phone	Phone	Alt. Phone
Email		Email	

Material Submission

A certificate of liability insurance in the sum of \$100,000 - \$300,000 bodily injury, and \$25,000 property damage, insuring the Village against any liability that might arise by reason of this privilege must be filed with this application. This certificate must be kept current throughout the existence of this privilege.

Site plan showing proposed item(s) in public way with dimensions and pictures of location.

For **Outdoor Seating**, the petitioner is required to submit a map indicating the proposed layout/plan of any furniture, planters, or other materials to be placed within the public right-of-way. Specifically:

- Location and number of tables, chairs, and any other materials
- Measured distance from building to curb and the width of the open sidewalk
- Dimensions of all materials
- The size, location, and number of items may not be increased from that which is approved

For **Parklets**, the petitioner is required to submit:

- Site plan to scale showing parklet, public sidewalk and building line
- Include all dimensions of parklet and distance from building to parklet
- Elevation and material description
- Provide one copy of a written notice to neighboring businesses and residents within 100 Linear Feet including properties opposite side of the street. Include separate list of all addresses. Shall be distributed at least 14 days prior to Village Board consideration.

Read below and sign for explanation of terms and conditions of special privilege approval.

General Conditions for Special Privilege Approval

1. The petitioner agrees that the Village of Shorewood, its employees, agents or representatives, shall be held harmless from all liability for injury to the previously mentioned property and damages accruing there from by acts of any Village employees, agents, or representatives in carrying on their assigned duties in such capacity of employment, on the property above described.
2. The petitioner agrees to remove said privilege whenever public necessity so requires or when ordered upon resolution adopted by the Village Board.
3. The petitioner agrees to comply with all laws of the State of Wisconsin and all ordinances of the Village of Shorewood, to abide by any order or resolution of the Village Board affecting this privilege, to be primarily liable for damages to person or property by reason of granting such privilege, and to hold the Village of Shorewood harmless from any or all liability.
4. Petitioner agrees that if in the opinion of the Planning & Zoning Administrator of the Village of Shorewood, the privileges, projections or encroachments permitted herein become out of repair, unsafe or unsightly, and upon receipt of written notice thereof, petitioner will, within five (5) days from the receipt thereof, maintain, repair, or remove such privilege, projection or encroachment at petitioner's expense. It is further agreed and understood that should petitioner fail to comply with said notice to maintain, repair or remove said privilege, projection or encroachment, the Village of Shorewood will have the right to maintain, repair or remove such privilege, projection or encroachment and charge the cost of same to petitioner or property owner.
5. Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition (subject to the approval of the Planning & Zoning Administrator), any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.
6. The petitioner must cooperate with and be responsive to the Shorewood Department of Public Works (DPW) so that the DPW may efficiently complete tasks and activities related to cleaning and maintenance of the right-of-way.

As the petitioner, I have read the above and agree to all of the conditions.

I further agree to inform my employees/staff of these requirements if applicable.

Signature

Date

EXHIBIT 1

Outdoor Seating within the Public Right-of-Way Requirements

1. A minimum of **five (5)** feet of the **six-foot** public sidewalk shall remain unobstructed at all times. This shall be a guideline subject to the discretion of the Planning & Development Department and, finally, the Village Board in authorizing such a permit.
2. Tables, chairs, planters, and other items may be located on both sides of the public sidewalk only if Requirement #1 can be completely satisfied and such use was indicated and approved in the original application for the Outdoor Seating Permit.
3. No seating shall be allowed within a designated curbside bus stop area.
4. Seating may extend beyond the petitioner's property lines with the written approval of the adjacent property and/or business owners.
5. Any area provided by this permit may be used and/or occupied during the specified times:
 - a. Sunday through Thursday 7 a.m. to 10 p.m.
 - b. Friday through Saturday 7 a.m. to 11 p.m.Anyone wishing to use this permit beyond the hours given requires approval from the Village Board of Trustees.
6. The petitioner may request that public street furniture be removed from the immediate area by the Shorewood Department of Public Works. Public street furniture **will not** be moved or rotated on a seasonal basis.
7. The petitioner shall make arrangements for proper litter control and removal of waste generated by dining patrons. Public waste receptacles will not be provided for this purpose. Sidewalks and public areas must be kept clean and clear of debris.
8. Amplified music is prohibited. Noise complaints that are not addressed is a reason for revoking special privilege permit or non-renewal.
9. All applicable fees shall be submitted with the Special Privilege permit application. Outdoor Seating shall be allowed between **March 15 and November 15**, by permit. All permits, regardless of issue date, shall expire on **November 15** of the year of issuance. Applications for renewal shall be made in the same manner as the original application. Permits are not transferable or assignable.
10. Violations of the above shall be investigated by the Planning & Zoning Administrator. Any violations brought to the attention of the petitioner shall be corrected within a reasonable period of time as determined by the Village. Violations not corrected within five (5) days from being cited or advised of a violation shall be considered uncorrected. Three (3) uncorrected violations shall result in the loss of outdoor seating in the public way.

EXHIBIT 2

Parklet within the Public Right-of-Way

Parklet is a sidewalk extension located adjacent to a sidewalk curb that provides more space and amenities for people. They shall be an extension of a business used by their customers

1. The location of parklets **may be** in the following areas: N. Oakland Ave., between E. Capitol Dr. northward to E. Glendale Ave.; N. Oakland Ave., between E. Edgewood Ave. northward to E. Beverly Rd.
2. The location of parklets **may not** be within 20 ft. of a bus stop; not within 4 feet of a vehicle approach; not within 15 feet of an intersection; not within 10 feet of a fire hydrant; not within 6 feet of an inlet.
3. A parklet **may not**: extend beyond a business façade; not be wider than 40 feet as measured parallel to the business façade, and not have a depth greater than 6 feet.
4. A minimum of five feet of the public sidewalk shall remain unobstructed at all times. This shall be a guideline subject to the discretion of the Planning & Development Department and the Village Board in authorizing such a permit.
5. The petitioner shall make arrangements for proper litter control and removal of waste generated by dining patrons. Public waste receptacles will not be provided for this purpose. Sidewalks and public areas must be kept clean and clear of debris.
6. Any area provided by this permit may be used and/or occupied during the specified times:
 - a. Sunday through Thursday 7 a.m. until 10 p.m.
 - b. Friday through Saturday until 7 a.m. until 11 p.m.Anyone wishing to use this permit beyond the hours given requires approval from the Village Board.
7. All applicable fees shall be submitted with the Special Privilege permit application. Permits shall be issued on or after **April 1** of each calendar year. All permits, regardless of issue date, shall expire on **November 15** of the year of issuance. Applications for renewal shall be made in the same manner as the original application. Permits are not transferable or assignable.
8. The parklet shall be constructed of quality materials and provide railings on three sides that are not parallel to the street curb and be ADA accessible and the parklet must be flush with the sidewalk.
9. Reflectors shall be placed on vertical features on the oncoming traffic side.
10. **Amplified music is prohibited.** Noise complaints that are not addressed is a reason for revoking special privilege permit or non-renewal.
11. Violations of the above shall be investigated by the Planning & Development Director. Any violations brought to the attention of the petitioner shall be corrected within a reasonable period of time as determined by the Village. Violations not corrected within five (5) days from being cited or advised of a violation shall be considered uncorrected. Three (3) uncorrected violations shall result in the loss of the parklet/outdoor seating in the public way.
12. Upon application, the Village will provide written notification of proposed parklet, with site plan and dimensions, to neighboring businesses and residents: a) Notice shall be given to businesses and residents within 100 lineal feet on each side of the business, including businesses and residents on the opposite side of the street, paralleling the distance of the business side; b) Notice shall be provided not less than 14 days prior to the scheduled Village Board meeting; c) The applicant shall also post notice letter on business window or door for public to see not less than 14 days prior to Village Board meeting.