

## Sidewalk Café License

In order to ensure the safety and pleasure of our Historic District visitors and residents, the City of Roswell has adopted a Sidewalk Café Ordinance related to outdoor dining on public sidewalks. The Ordinance provides standards and criteria for the licensing of sidewalk cafes so that business owners may utilize outdoor dining space in a manner that promotes a healthy relationship between the business, pedestrians, and surrounding property owners.

This purpose of this Sidewalk Café Licensing Guide is to outline some of the regulations and application requirements contained in the Sidewalk Café Ordinance. For a complete listing of the requirements and limitations please refer to Article 10, *Specific Use Requirements*, Chapter 10.39, *Sidewalk Cafes*, of the City of Roswell Zoning Ordinance.

## Specific Use Requirements

To protect the public health, safety, convenience and general welfare of the surrounding uses, sidewalk cafes shall be subject to the following criteria:

- (a) The operation of such sidewalk café seating area shall be conducted in such a way as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets or sidewalks. There shall be a minimum of three (3) feet of clear distance. The minimum three (3) foot clear pedestrian passage provided between the dining area and the edge of the pavement.
- (b) All kitchen equipment and refuse containers used to service the sidewalk cafe shall be located inside the primary restaurant.
- (c) The restaurant owner/operator shall be responsible for maintaining the sidewalk café in a clean, neat, orderly and safe condition. All debris and litter shall be removed daily. Private trash containers in the sidewalk café dining area are prohibited. Public sidewalk trash containers shall not be used as a means of disposing of table waste generated by restaurant consumers.
- (d) Sidewalk café furniture must be kept in a clean, orderly and safe condition. White plastic furniture is not permitted in sidewalk café areas. All white plastic furniture currently in place shall be removed within one (1) year from the date of adoption of Article 10 "Specific Use Requirements", Chapter 10.39, Section 10.39.5 "Development Standards and Criteria".
- (e) Restaurants may serve alcoholic beverages in the sidewalk café dining area provided the restaurant complies with State law and Chapter 3 of the Roswell Code of Ordinance which provide that any area outside of the licensed premises used for serving alcoholic beverages be defined by permanent or temporary fencing or other acceptable method.
- (f) There shall be no signage or logos displayed on umbrellas or awnings that can be seen from the public right-of-way.
- (g) The hours of operation for the sidewalk café shall be no greater than that of the principal restaurant and may be less as determined in the review process.
- (h) Should a severe storm warning be issued, all outdoor furniture shall be removed from the sidewalk café dining area.

## Pre-approved HPC Sidewalk Café Specifications

The following items are pre-approved for use in sidewalk cafes. Applicants are encouraged to use items from this list and by doing so eliminate the requirement to file a minor design plan application to the Historic Preservation Commission for barrier design or other furniture or objects related to the sidewalk café.

Should the sidewalk café applicant wish to deviate from the pre-approved Historic Preservation Commission specifications, they may file a minor design plan application for consideration of items which are not prohibited by the Sidewalk Café Ordinance.

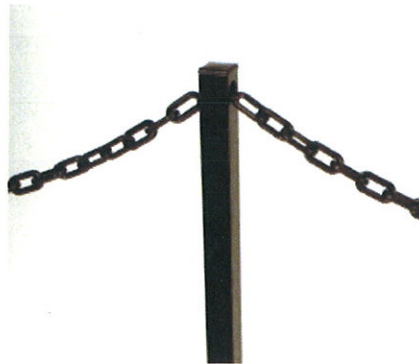
### Barrier

The pre-approved sidewalk barrier should be of simple post and chain construction. The post height should be between 33"-36" above sidewalk surface and all posts shall have a top cap. Posts should be placed no farther than 4' apart and the chain drape between posts should be no less than 6" below the tops of posts.

Each post shall be removable, inserted into recessed sockets set flush with the sidewalk.

*Pre-approved Material:* Plastic, PVC or Metal

*Pre-approved Colors:* Black or Non-Shiny, Non-Reflective Metallic Finish



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### Furniture (Tables, Chairs, Host Stand)

Tabletops may be a maximum of 3'x3' or 3' in diameter in size. Tables may be of pedestal or leg design. High top tables are approved for use for sidewalk cafes. Picnic tables are not allowed.

Individual chairs are pre-approved for use in sidewalk cafes. Folding chairs and benches are not approved.

One host stand is allowed within the sidewalk café area.

*Pre-approved Materials:* Painted Metal, Painted or Stained Wood. Laminate tabletops are allowed but must be of a Historic or Heritage color or finished wood. No PVC or plastic tables are allowed.

*Pre-approved Colors:* If wood is to be painted, the paint should be chosen from a Historic or Heritage paint palette. No shiny or reflective metal surfaces are allowed.

## Umbrellas

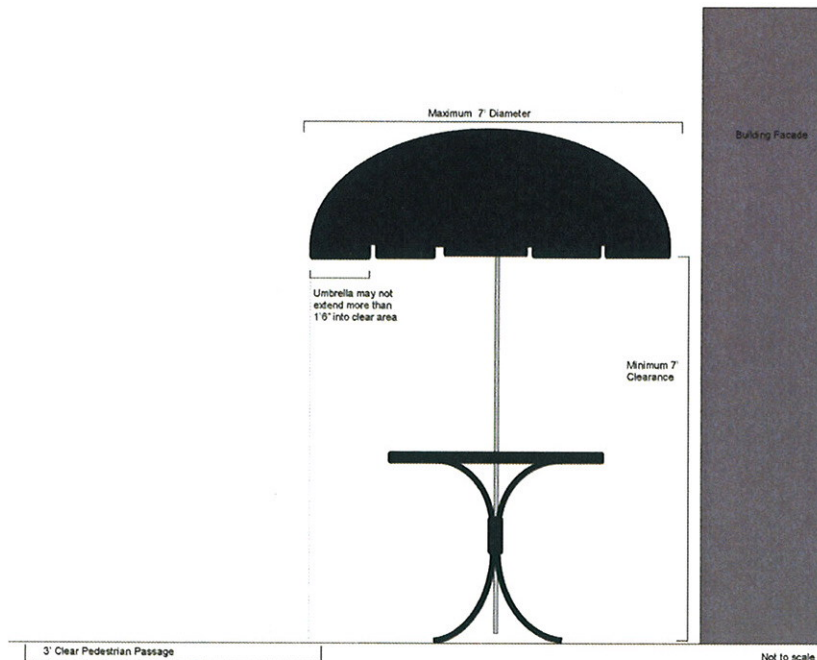
Umbrellas, as an integral part of a table, are allowed for use in the sidewalk café. Umbrellas should be no larger than 7' in diameter and no portion of the umbrella shall be less than seven feet (7') above the sidewalk. The umbrella may not interfere with street trees or extend more than 1'6" into the clear pedestrian passage.

*Pre-approved Materials:* Fabric, no vinyl or reflective material allowed.

Umbrella hardware is to be of painted metal or painted or stained wood of a muted finish.

*Pre-approved Colors:* Umbrellas should be of a solid color chosen from the following: Black, Dark Blue, Forest Green, Burgundy, Brown, Beige, or Khaki.

There shall be no signage or logos displayed on umbrellas that can be seen from the public right-of-way.



## Notes

- A minor Historic Preservation Commission application must be filed for the addition of any awnings.
- A minor Historic Preservation Commission application must be filed for the addition of any exterior lighting.

**No signs are permitted within sidewalk café areas except for tabletop signs, menu signs, and "Please Wait to Be Seated"**

- **Signs;** All signs must be removed daily at the close of business.
- **All kitchen equipment and refuse containers used to service the sidewalk café must be located in the primary restaurant.**



## SIDEWALK CAFÉ LICENSE APPLICATION

### TO ALL SIDEWALK CAFÉ LICENSE APPLICANTS

1. Please fill out the attached License Application COMPLETELY and return to the Community Development Office, 38 Hill Street, Suite G - 30, Roswell, GA 30075. To speak with the License Registration Specialist, contact the Community Development Department at 770-641-3780.
2. Provide copies of required documentation at the time the application is filed. Applicant must provide the following:
  - a. All site plans (including architectural plans) for sidewalk cafes shall include a sketch showing existing interior floor plans if appropriate;
  - b. Exterior floor plans if applicable;
  - c. Building elevations;
  - d. Setbacks;
  - e. Types of landscaping/ground covering;
  - f. Lighting;
  - g. Location of tables, chairs and other furniture;
  - h. Pedestrian ingress and egress (clear path)
  - i. All other information deemed necessary for processing of application;
  - j. Photographs, drawings, or manufacturers' brochures describing the appearance of the proposed tables, chairs, umbrellas or other objects related to the sidewalk café.

Any missing, incomplete or false information or failure to present documentation will result in the refusal of this application.

3. A fee of \$\_\_\_\_\_ first year, \$\_\_\_\_\_ changes, \$\_\_\_\_\_ annual renewal for the Sidewalk Café License, must be submitted with the application.
4. Before a license can be issued, the applicant must comply with all standards and criteria (Section 10.39-5), liability and insurance requirements (Section 10.39.6) and must be approved by Mayor and City Council.



LICENSE NO: \_\_\_\_\_

SC09-06 #09120250 LS#10-0104

**SIDEWALK CAFE LICENSE APPLICATION**I.N.C. Street Food, LLC

Name of Business with Sidewalk Cafe (include d/b/a if applicable)

948 Canton StreetRoswell GA 30075.

Location (Street and Suite #)

City State Zip

Description of location for the utilization of a Sidewalk Cafe:

Sidewalk Dining in the front of the restaurant.

Ownership

☐ Proprietorship;☐ In-town☐ Partnership;☐ Out-of-state☒ Corporation6  
No. of tables16  
No. of ChairsDate 01 / 15 / 2010  
Beginning of sidewalk cafe  
within City of RoswellHicham Azhari

Owner Name (Company and/or Individual - Please print)

Mailing Address (if other than above)

City

State

Zip

Business Phone

01 / 07 / 1978  
Date of Birth

Cell or Home Phone

Fax Phone

E-mail

hichamazhari@bellsouth.net

Fed. ID No./Employee Identification No.

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270-181-669.

**STATEMENT OF CONFIDENTIALITY:** Information provided by a business or practitioner to the City of Roswell for the purpose of determining applicability is confidential to the extent it qualifies for exemption from disclosure under Article 4, Chapter 18, Title 50 of the Official Code of Georgia.

**APPLICANT AFFIDAVIT:** I hereby certify that all information provided herein is complete. I have answered all questions completely and truthfully to the best of my knowledge. I hereby acknowledge that I have read and understand the rules and regulations for the Licensing of Sidewalk Cafe in the City of Roswell. Any false statement on this application automatically voids this license.

Signature of Business Owner or Owner's Representative

Date: 12 / 16 / 09

Title

Office Use Only:

Fee: \$ \_\_\_\_\_

Amount paid: \$ \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

☐ Cash ☐ Check # \_\_\_\_\_ ☐ CC Visa MC

Approved By: \_\_\_\_\_

Denied By: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Business Questionnaire - For use in the licensing of Sidewalk Cafes**



1. If the business requesting the license is a Sole Proprietorship or a Partnership, provide the names, home addresses, date of birth and driver's license information for each individual owner. If the business is a Corporation, a Limited Liability Corporation or a Limited Liability Partnership, then list the name and business address of the registered agent for the business entity and the name and title of the president, CEO, or managing partner.

Name Hicham Alzhar Title (President)

Home Address 210 Babban Cr Woodstock GA 30178  
Home Phone Number \_\_\_\_\_  
Date of Birth 01/07/78

Name Eikret Kovac Title (Vice President)

Home Address 145 Northwood Dr. Atlanta 30342  
Home Phone Number \_\_\_\_\_  
Date of Birth 01/10/73

Name \_\_\_\_\_ Title \_\_\_\_\_  
Home Address \_\_\_\_\_  
Home Phone Number \_\_\_\_\_  
Date of Birth \_\_\_\_\_

- 1.) Proof of insurance ☐ Yes ☒ No  
Coverage: \_\_\_\_\_  
Company: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_
- 2.) Business registration verification: ☐ Yes ☐ No  
Registration No: \_\_\_\_\_
- 3.) Fulton County Health Department certification - copy ☐ Yes ☒ No
- 4.) Liquor License - copy ☒ Yes ☐ No

Applicant Signature: Business Owner or Owner's Representative/Title

Date: DEC 17 2009  
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## Sidewalk Café Occupancy Fire Inspection Form

EMERGENCY SERVICES CONTACT INFORMATION. THIS FORM MUST BE FILLED OUT COMPLETELY.

<del>11111</del> I.N.C. Street Food, LLC.			
Name of Business			
948 Canton street		Roswell	GA 30075
Business Street Address Suite/Apt. #		City	State Zip
Hicham Azhari			
Name of Business Owner (Company and/or Individual - Please print)			
170-997-3114	404-444-6630	404-444-6630	
Business Phone	Emergency Phone	Cell Phone	E-mail
Restaurant.		1500.	
Type of Business (Explain)	Size of area in sq. feet, or		Dimensions x
Hazardous or flammable materials stored on site? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, please list:			

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### IN CASE OF EMERGENCY AFTER HOURS, PLEASE CONTACT:

Hicham Azhari			
First Contact			
948 Canton Street.		Roswell	GA 30075
Home Street Address Suite/Apt. #		City	State Zip
Home Phone		Cell Phone	
404-444-6630			
Second Contact			
Filip Kovac.		948 Canton st	Roswell GA 30075.
Home Street Address Suite/Apt. #		City	State Zip
Home Phone		Cell Phone	
404-456-2329.			
LOUIS Spizhulik.			
Name of Building/Property Owner			
1186 Lenox Cr		Atlanta	GA 30306.
Home Street Address Suite/Apt. #		City	State Zip
Home Phone		Cell Phone	E-mail
404-759-6979			

### TO BE COMPLETED BY THE FIRE DEPARTMENT

Date Last Inspection Approved: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Sq. Ft. \_\_\_\_

The Roswell Fire Department recommends that a License for a Sidewalk Café be issued for the business listed at the address as stated above.

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Approved by Fire Inspector - Signature & Title

## Sidewalk Café License Fee Schedule



<input checked="" type="checkbox"/> Application for Sidewalk Café License Registration fee	\$ 300.00
<input type="checkbox"/> Changes or additions to original license	\$ 100.00
<input type="checkbox"/> Annual renewal with no changes	\$ 50.00
<input type="checkbox"/> Change of Name and Address	No Fee

Fees are payable to the City of Roswell.

### Contact Us

For general questions regarding the application process, or to schedule an application review for a sidewalk café license contact between the hours of 8:00 a.m. to 5:00 p.m.:

**City of Roswell**  
**Community Development Department**  
38 Hill Street, Suite G - 30  
Roswell, GA 30075  
Phone: 770-641-3780  
Web Site: [www.roswellgov.com](http://www.roswellgov.com)

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