

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Checklist

- _____ City application for “Temporary Extension of Premise” permit
- _____ Diagram of the Temporary Extended Premises to be created including measurements, entrance/exit, table layout, and in relation to the current premises/property
- _____ Copy of Certificate of Insurance with Extension of Liquor Liability Insurance (if establishment holds a liquor license)

Applicant will be notified upon approval.

SPECIAL NOTES

- All indoor restaurant services remain closed – only outdoor seating is allowed.
- The number of customers at any one time is limited to the number for whom physical distancing of 6 feet can be maintained between tables, NOT to exceed 50 or the maximum number determined by the Fire Marshall, whichever is less..
- A limit of two (2) customers may be seated together at the counter for service at any one time.
- A limit of four (4) customers may be seated together at a table at any one time unless the customers reside in the same household, in which case six (6) are allowed.
- The entire perimeter of the temporary extended premises must be attached to the original licensed premises (or in immediate vicinity if public right-of-way is being used) and enclosed (roped or chained off or fenced in) to control access
- The approved temporary extension of premises is valid through October 31, 2020 or until further occupancy guidelines permitting indoor occupancy are issued by the State of Minnesota
- All aspects of the Executive Orders of Governor Walz, as well as CDC and MN Department of Health guidelines must be complied with at all times.
- The Community Development Department has the right to revoke or alter any permit for violation of these guidelines or by recommendation of the City of Brainerd Police Department or Fire Department.

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Guidelines

1. Restaurants and bars may temporarily extend their premises outside by permit as long as it is compact and contiguous. This would include the expansion of current outside licensed premises areas.
 - a. Establishments who do not have the spatial ability to extend their premises within their property and do not currently have an outdoor dining area, may request to use immediately adjacent right-of-way for an extension of premises.
 - b. No extension of premises within the right-of-way shall be located on a public sidewalk and shall not extend out further than ten (10) feet from the curb.
 - c. No glass products are allowed in extensions of premises within the right-of-way.
2. In order to receive a temporary extension of premises, a proprietor must submit an application for a Temporary Extension of Premises Permit to City of Brainerd Community Development Department and receive approval for their plan.
3. The application must include a diagram of the temporary extended premises to be created. This is to include, at least, measurements in feet showing the perimeter of the temporary extended area, entrance/exit, table layout, and how the area relates to the overall footprint of the original licensed premises/property. Proprietors are required to adhere to all City Codes, including those relating to lighting and noise.
4. Extensions of premises shall be inspected by the City of Brainerd Fire Marshal and Building Official before any service can take place.
5. Applicants shall indicate whether a temporary membrane structures, tents, and/or canopies is intended to be used. If a temporary membrane structure/tent/canopy will be used, its dimensions and location shall be included within the application materials.
6. If the proprietor holds any kind of liquor license, the license holder must also provide the Community Development Department a current Certificate of Liquor Liability showing that the liquor liability insurance coverage will extend to the temporary extended premises (including any public property and size parameters) for the duration of the time allowed.
7. The temporary extended premises must be attached to (or immediately adjacent to if public right-of-way is being used) the original licensed premises and enclosed (roped off, temporarily fenced in, or chained off) so access (entering/exiting) is controlled. When possible, it is preferred this be through the original licensed premises.
8. The designated temporary extended premises must remain for the duration of the time allowed (i.e. if a parking lot is temporarily extended premises, the license holder can't change back and forth from parking lot to temporary extended premises).
 - a. Extensions of premises within the downtown right-of-way shall be dismantled no later than 4:30a.m. and reassembled no sooner than 10:00a.m. each Wednesday for street sweeping.
9. Appropriate and Adequate parking to accommodate parking must be maintained at all times.

10. All aspects of Governor Walz's current and future Executive orders, as well as CDC and MN Department of Health requirements must also be complied with as part of the temporary premises extension.
11. The temporary extension of premises will be allowed from the date granted by the Community Development Department through October 31, 2020 or until further occupancy guidelines permitting indoor occupancy are issued by the State of Minnesota. The Brainerd City Council holds the right to alter or rescind these temporary extension of premises guidelines at any time.
12. The Community Development Department has the right to revoke or alter any Temporary Extension of Premises Permit for violation of these guidelines or by recommendation of the City of Brainerd Police Department or Fire Department.
 - a. If a Temporary Extension of Premises Permit is revoked, altered, or suspended, the proprietor may submit an appeal in writing to the City Council. The appeal will be heard at the next available city council meeting.

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Application

Name of Applicant: _____

Business Name: _____

Business Address: _____

Does this establishment currently have a permitted patio/outdoor seating area? Y / N

Does this establishment have a current on-sale liquor license? Y / N

*If yes, a current Certificate of Liquor Liability showing that the liquor liability insurance coverage will extend to the temporary extended premises (including any public property) for the duration of the time allowed must be attached.

Are you requesting use of the public Right-of-Way? Y / N

Do you have a COVID-19 Preparedness Plan in place? Y / N

Do you intend to use a temporary membrane structure/tent/canopy? Y / N

*If yes, include its dimensions and location within the attached site plan.

Site Plan (attach on separate piece of paper) – include, at least, measurements in feet showing the perimeter of the temporary extended area, entrance/exit, table layout, size and location of temporary membrane structures/tents/canopies, and how the area relates to the overall footprint of the original licensed premises/property.

Statement of Understanding

I declare that the information provided in this application and on the accompanying exhibits is true and complete to the best of my knowledge. I acknowledge that I am bound to comply with the COVID-19 Temporary Extension of Premises Permit. I further understand and agree that, in consideration for use of public property (e.g., sidewalk and/or street), if, any, the business on whose behalf I am signing will defend and indemnify the City from and against all claims, damages, liability, and costs (including attorney's fees) arising out of the business's use of the public property pursuant to this permit. I further warrant that I have authority to bind the business to the terms and conditions of this permit. I understand that falsifying information or failing to comply with these guidelines will result in immediate revocation of this permit. The City of Brainerd and its staff have the right to verify any information contained in this application.

Signature: _____ Date: _____

Printed Name: _____

Title: _____

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Applicable Ordinances

[Section 515-18: Outdoor Lighting](#)

[Section 825: Sidewalks](#)

[Section 1200: Intoxicating Liquor](#)

[Section 1205: Non Intoxicating Malt Liquor](#)

[Section 2010: Nuisances/Junk/Blight](#)

[Section 2014: Noise Related Issues](#)

[Section 2035: Use of Water and Electric Apparatus](#)

[Section 2040: Loitering](#)