June 5, 2020

Dear Restaurant Owners and Managers:

In order to help restaurants recover from the COVID-19 crisis and adapt to new social distancing rules, the North Reading Select Board is offering an expedited permitting process at no fee to allow any restaurant in Town to quickly and easily apply to add outdoor seating to the establishment once they are permitted to resume by the state. The measure — and the approvals issued under it — will remain valid until November 1st, or until the Governor’s COVID-19 Order No. 35, issued 6/1/20 is rescinded, whichever is sooner, and restaurants will revert to their original licensed premises on that date.

Restaurants must follow the Governor’s Safety Standards and Checklist for Restaurants, which include mandatory safety standards, recommended best practices and a posted signed checklist for customers to review. Restaurants may not provide any service beyond carry-out or delivery until specifically authorized to do so in Phase 2 of the Commonwealth’s Workplace Re-Opening Plan

To receive approval from the Select Board for outdoor seating not already approved for 2020, restaurants must submit the following documents:

1. **Completed Permit Application**
2. **Narrative Description**
3. **Rough Sketch Plan Showing General Area**
4. **Certificate of Insurance**

Completed applications, along with your narrative, plan, and certificate of insurance (COI) should be submitted in the same email to [jbrooks@northreadingma.gov](mailto:jbrooks@northreadingma.gov) . Inquiries should be made to 978-357-5210 or [jbrooks@northreadingma.gov](mailto:jbrooks@northreadingma.gov).

Applications will be processed as follows:

1. Application materials are submitted by applicant to Select Board office.
2. Application is initially reviewed for completeness, and if complete, is forwarded to the following Departments: Board of Health, Department of Public Works, Fire Department, Police Department, Building Department / ADA, and Community Planning
3. Departmental comments are submitted within two business days of distribution. If a meeting or site visit is required, it will be scheduled as soon as possible.
4. Application, including departmental comments, is submitted to the Select Board for consideration at its next meeting.
5. Select Board considers request and issues approval, approval with additional conditions, or denial.
6. ABCC is notified of an approved permit.
7. If approved, restaurant notifies departments once ready for site inspection.

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| **General Information** | |
| **Licensee Name:** | |
| **Business Email:** | |
| **Licensee Address:** | **Phone:** |
| **Contact:** | |
| **POC Email:** | **POC Cell Phone:** |
| **Current Hours of Operation:** | |
| **Manager of Record: TIPS trained: Yes\_\_\_ No \_\_\_** | |

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| **Requested Location of Outdoor Seating (circle one)** |
| Sidewalk: Yes \_\_\_ No \_\_\_  On-Street Parking Spaces: Yes \_\_\_ No \_\_\_  Parking Area: Yes \_\_\_ No \_\_\_  Greenspace: Yes\_\_\_ No \_\_\_  Patio: Yes \_\_\_ No\_\_\_  Deck: Yes\_\_\_ No \_\_\_  Lawn: Yes \_\_\_ No \_\_\_  Other: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Tent\*: Yes \_\_\_ No \_\_\_  Awning\*: Yes \_\_\_ No \_\_\_  Umbrella\*: Yes \_\_\_ No \_\_\_  Other Covering\*: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  *\*at least fifty percent (50%) of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times* |

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| **Narrative Description (attach additional sheet if necessary)** |
| ***Describe the proposed outdoor seating location, including dimensions, area/square footage, number of tables and chairs, occupancy, number of staff assigned, and any other equipment and furnishings expected to be located in outdoor seating area*** |
| ***Describe Licensee’s plan for providing restrooms for patrons including ADA compliance and prevention of litter and debris*** |
| ***Describe Licensee’s plan for providing hand sanitation stations for patrons and employees*** |
| ***Describe Licensee’s plan for accommodating waiting patrons*** |
| ***Describe Licensee’s plan for the control, storage and removal of exterior trash, debris and litter*** |
| ***Tent Information***  No. of Tents  Date(s) tent(s) set up from/to:  Tent Dimensions:  Length (ft):  Width (ft):  Height (ft):  Proposed Occupant Load with Tables/Chairs:  Will side curtains be provided? Yes\_\_\_No\_\_\_\_\_  If yes, will they cover 50% or less of the side? Yes\_\_\_\_No\_\_\_\_\_  Does the tent have any Heating Equipment?\_\_\_Yes\_\_\_\_No\_\_\_\_\_  Does the tent have any Electrical Service?\_\_Yes\_\_\_\_No\_\_\_\_  Is your tent adequately guyed/staked/fastened to withstand a wind load of 90 mph?  Yes No\_\_\_\_ |

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| **Required Documents** |
| * **Permit Application** * **Narrative Description** * **Rough Sketch Plan** * **Rider for Certificate of Insurance including the outdoor seating area, and where permitted to use Town of North Reading public property for outdoor seating, Rider must name Town of North Reading as additional insured** |

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| **Permit Requirements and Guidelines** |
| * Outdoor seating must be separated from vehicles with a description of barricade type and placement, if applicable. * This application shall also cover a tent permit if requested. Please complete the section entitled “Tent Information” if you intend to have a tent on site. There is no fee for a tent permit requested in association with outdoor seating. * $1 Million Certificate Liquor Liability Insurance (COI) - must include Rider for outdoor seating area and copy of Rider must be attached; if proposed outdoor seating area includes any Town of North Reading public space, Rider shall include the Town of North Reading as an additional insured. * If a tent is to be installed, proof of Workers Compensation held by the installer must be provided. * Staff will expedite permit review and approval. Licensee shall be available for review comments and site visits as well as to appear before the Select Board if the Board deems that necessary. * Permit Application approval may be delayed and/or denied if Licensee cannot be contacted or does not provide a complete application. |

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| **Applicant Obligations, Certifications and Agreement** | |
| 1. Applicant agrees to indemnify, defend and hold harmless the Town of North Reading, its agents, servants, employees and officials, from and against any and all claims, suits, or actions for death or injury to persons or damage to property brought against the Town of North Reading, its agents, servants, employees and officials, arising from any alleged damages, injuries, claims, acts or omissions in connection with this Outdoor Seating Permit and/or in connection with the extension of Applicant’s license for sales and service to patio and outdoor areas as permitted herein. Applicant certifies that this obligation to indemnify, defend and hold harmless the Town of North Reading, its agents, servants, employees and officials is applicable whether or not a cause of action and/or suit is filed in any Court or Agency. Applicant shall be obligated to pay any sums the Town of North Reading, its agents, servants, employees or officials become obligated to pay as personal injury and/or property damages arising out of such circumstances.  2. Applicant acknowledges that the operation of the outdoor seating area will comply with all Commonwealth of Massachusetts statutes and regulations and all Town of North Reading Rules and Regulations, Commonwealth of Massachusetts Alcoholic Beverages Control Commission requirements, and any other terms and conditions imposed herein and required by Town of North Reading Public Safety and Public Works Officials.  3. Applicant agrees to allow members of the Select Board, its agents and Town of North Reading agents, servants, employees and officials to inspect outdoor seating at any time and comply with updates and modifications as required from time to time.  4. Alcoholic beverages cannot be served outside of the licensed establishment unless and until this application to extend the licensed premises is approved by the Select Board.  5. The Applicant certifies that the expanded service area has been fully described including the area in detail, dimensions, seating capacity, and maximum occupancy.  6. The Applicant acknowledges that the expanded outdoor seating area must remain enclosed by a fence, rope, partition, or other means of approved enclosure with adequate egress to and from the outdoor area safely maintained all times to permit orderly entry and exit of patrons and be safe for exit in case of any emergency situation. Barricades such as jersey barriers or bicycle racks may be required as determined by Public Safety and/or Public Works Officials.  7. Access to and within the expanded service area must be ADA compliant.  8. The applicant must have a lease or documents for the right to occupy the outdoor area.  9. The Licensee shall make every effort to minimize noise in the environs in which expanded service area is located. Entertainment, including live or amplified music, is not permitted.  10. Food must be available for service and kitchen at the licensed establishment must be open at all times alcohol is served to patrons.  11. Outdoor seating areas added pursuant to this application must be cleaned and closed and free of all patrons no later than 11:00 PM.  12. The Select Board reserves the right to impose additional conditions and make additional modifications as the need arises.  13. The Select Board reserves the right to revoke a permit for outdoor seating upon written notice to the Licensee.  14. Any expanded premises approved by the Select Board is effective only through November 1, 2020, or sooner upon rescission of Governor Baker’s COVID-19 Order No. 35.  **By affixing Applicant’s signature, Applicant acknowledges and confirms Applicant has authority to sign and bind the Licensee to the terms and conditions contained herein, and confirms that the Applicant has reviewed this document in its entirety and confirms the information provided herein is true and accurate under the pains and penalties of perjury.** | |
| **Owner/Manager Name:** | **Phone:** |

**For Internal Use Only - COVID-19 Outdoor Seating Permit Review**

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| **Board of Health** | |
| **Approved:** | **Date:** |
| **Denied:** | **Date:** |
| **Comments:** | |
| **Department of Public Works** | |
| **Approved:** | **Date:** |
| **Denied:** | **Date:** |
| **Comments:** | |
| **Fire Department** | |
| **Approved:** | **Date:** |
| **Denied:** | **Date:** |
| **Comments:** | |
| **Police Department** | |
| **Approved:** | **Date:** |
| **Denied:** | **Date:** |
| **Comments:** | |
| **Building Department / ADA** | |
| **Approved:** | **Date:** |
| **Denied:** | **Date:** |
| **Comments:** | |
| **Community Planning** | |
| **Approved:** | **Date:** |
| **Denied:** | **Date:** |
| **Comments:** | |

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**SELECT BOARD ACTION**

**After review, the Select Board hereby:**

**\_\_\_\_\_\_\_ GRANTS the within application for expansion of service as reasonable and**

**proper.**

**\_\_\_\_\_\_\_ DENIES the within application.**

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**Kathryn Manupelli, Chair Stephen O’Leary, Vice-Chair**

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**Liane Gonzalez, Clerk Andrew Schultz**

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**Richard Wallner**

**\_\_\_ amended License Prepared \_\_\_ amended License forwarded to ABCC**

**Final Inspection Sign-Off**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_**

**Board of Health Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_**

**Department of Public Works Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_**

**Fire Department Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_**

**Police Department Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_**

**Building Department / ADA Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_**

**Community Planning Date**