



Scott D. Galvin
Mayor

City of Woburn Massachusetts

City Hall
10 Common Street
Woburn, MA 01801

Tel: 781-897-5901
www.cityofwoburn.com

Application to Temporarily Expand Restaurant Seating and M.G.L. c.138, §12 Licensed Premises (Governor's COVID-19 Order No. 35)

GUIDELINES

Pursuant to COVID-19 Order no. 35, restaurants that provide seated food service prepared on site and under retail food permits issued by municipal authorities under 105 CMR 590.000 (Board of Health), will be authorized to provide outside table service on a sidewalk, patio, deck, lawn, parking area or other outdoor space subject to conditions. In addition, restaurants with alcoholic beverage licenses issued under M.G.L. c.138, §12 may also request an extension of the licensed premises, commensurate with the expanded restaurant seating. To facilitate this process, the Mayor has been authorized to establish the process for approving such requests. Approvals may be exercised immediately upon the filing of notice of approval with the City Clerk.

If the applicant/business does not own the outside area where table service will take place, a copy of the lease or the signature of the owner of the property signifying their approval to this application must be submitted. If the applicant/business wishes to use sidewalk or parking areas owned by the City, a separate license must be granted by the City for such use.

The total number of combined indoor and outside seats shall not exceed the existing allowed capacity of the restaurant. Where off-street parking is required, 12 parking spaces shall be provided for every 1,000 s.f. of area used for outside seating. Parking required for restaurant capacity not in use, will not be calculated into the overall off-street parking requirement.

Insurance- The applicant must submit proof of insurance, including liquor liability insurance if applicable, covering the expanded premises.

It is understood and agreed that any approval or use hereunder is temporary and unless a termination date is specified or imposed by the Mayor, or COVID Order No. 35 is rescinded or amended sooner, the Approval will cease and the premises shall revert back to its prior form on November 1, 2020.

It is the Applicant's responsibility to ensure that all laws, rules and regulations are complied with, including but not limited to any guidelines and requirements issued by the Commonwealth as a result of the COVID-19 Pandemic.

The outdoor dining area and barriers must be accessible and meet ADA and Massachusetts Architectural Access Board's Regulations.

The City reserves the right to revoke approval if the operation of the outdoor dining area is not in compliance with any safety protocols or standards required for the opening of restaurants in Phase II, if the outdoor dining area is not facilitating safe passage in accordance with Americans with Disability Act requirements, or if the Board of Health, Chief of Police, or their designees determine that the operation of the outdoor dining area is negatively impacting public health and safety.

If the restaurant will be using a tent, a tent permit is required from the Department of Inspectional Services.

Prior to issuance of approval the Building Commissioner shall certify the occupancy load for the outdoor seating and where applicable, that there is adequate off street parking for the outdoor seating provided.

REQUIRED DOCUMENTS

1. **Application** – fill out the attached form and include it with your submittal.
2. **Letter of Permission** (if applicable) – if the area into which the restaurant wishes to expand is not owned by the restaurant, a letter of permission from the owner authorizing its use for outdoor dining or a copy of the lease must be submitted with the application.
3. **Plan** – attach a sketch or plan showing the outside seating area proposed including:
 - a. the dimensions of the outside area to be used for outdoor dining;
 - b. locations of curb cuts with ramps to the parking lot, if applicable;
 - c. layout of tables and chairs; (tables must be smooth, durable and easy to clean) showing the occupancy count for the area to be used keeping in mind that no table may seat more than 6 people;
 - d. a depiction of what the restaurant will use to enclose the expanded premises to prevent access from the public way;
 - e. the location of disinfecting stations, and any other physical items that will be used in the outdoor dining area; and
 - f. a photo or description of barriers to be used to protect diners from vehicles and their locations

Note: Tables must be 6 feet apart to provide for social distancing unless separated by protective non-porous barriers such as structural walls or plexiglass dividers not less than 6 feet high. All customers must be seated; no one may be seated at the bar.

**These Guidelines and the Application are subject to revision based upon amendments to the Governor's COVID-19 Order no. 35.*

APPLICATION

No Fee

The following information must be provided:

1. Name of Applicant: _____
2. Name of the Business: _____
3. Address of Business: _____
4. Owner/manager: _____
5. Owner/manager email address: _____
6. Business hours of operation: _____
7. Is this business currently approved to operate as a restaurant? Yes_____ No_____
8. Do you have a current common victualler license? Yes_____ No_____
9. Are all inspections current and valid? Yes_____ No_____
10. How many tables and chairs would you like to put in the outdoor dining area? _____

NOTE: Tables must be at least 6' apart to facilitate social distancing.

11. Describe the type of barrier/fencing which will surround the seating area:***

*** Note: Refer to ABCC Patio Guidance; It is recommended that photos of the proposed barrier/fence be provided

12. Will there be food preparation or storage occurring in the exterior area of the premises?

If yes, please describe the type and location of such storage and preparation:

13. Will there be lighting in the exterior area of the premises? Yes____ No_____

If yes, please describe the type and location of such lighting: _____

14. Does the business have a current license for on-premises consumption under G.L. c. 138 § 12 (Pouring License)? Yes_____ No_____

If yes, is this application also requesting an expansion of the licensed premises?

Yes_____ No_____

By signing this form, the Applicant acknowledges that he/she understands and will comply with all Safety Standards established by Restaurants in response to COVID-19, applicable liquor regulations set forth by the Alcoholic Beverages Control Commission (ABCC) AND the Woburn License Commission, and any other local or state authority.

Signature of Applicant:

Date:

Certification of the Building Commissioner as to adequacy of off street parking and occupancy load:

Thomas C. Quinn, Jr.

Date

Approval of Extension of Premises/Expansion of Licensed Premises:

Mayor Scott D. Galvin

Date

Conditions of Approval:

Filed with the City Clerk's Office on: _____