

CITY OF CAMBRIDGE

**PROCEDURES FOR RESTAURANTS THAT SEEK TO OPERATE
OUTDOOR DINING SERVICE IN PHASE II OF THE COMMONWEALTH'S RE-OPENING PLAN
JUNE 8, 2020**

The following procedures address the restaurant community's operation of outdoor dining services allowed in Phase II of the Commonwealth's Re-Opening Plan. The following procedures are established pursuant to Governor Baker's June 1, 2020 *Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces* (hereinafter referred to as "COVID-19 Order No. 35") and corresponding guidance related thereto.

Restaurants that already have approval for outdoor dining areas on private property and are seeking no changes to the current layout/approved footprint:

- You may commence outdoor service on June 8, 2020 pursuant to the Governor's announcement that restaurants may open for outdoor dining service in Phase II.
- You must comply with all social distancing guidelines and safety measures released by the Governor's Office on May 29, 2020.¹

Restaurants that already have approval for outdoor dining areas on private property and are seeking temporary approval to extend the area/footprint:

- You may commence outdoor dining service in the currently approved footprint area upon the Governor's announcement that restaurants may open on June 8, 2020 for outdoor dining service in Phase II.
- You must comply with all social distancing guidelines and safety measures released by the Governor's Office on May 29, 2020.²
- To get temporary approval for the additional area, you must submit through your Viewpoint account an application for *Temporary Outdoor Extension of Licensed Premises Due to COVID-19*. See below for the application requirements.

Restaurants that already have approval for outdoor dining areas on public property and are seeking no changes to their current layout/approved footprint:

- You must contact the Department of Public Works immediately (rlinke@cambridgema.gov) to determine the status of your Sidewalk Obstruction Permit.
- You must comply with all social distancing guidelines and safety measures released by the Governor's Office on May 29, 2020.³

Restaurants that already have approval for outdoor dining areas on public property and are seeking temporary approval to extend the area/footprint:

- You must contact the Department of Public Works immediately (rlinke@cambridgema.gov) to determine the status of your Sidewalk Obstruction Permit.

¹ Note that the safety measures and social distancing guidelines mention indoor service; however, they are applicable and must be complied with for both indoor and outdoor service.

² See Footnote No. 1.

³ See Footnote No. 1.

- You must comply with all social distancing guidelines and safety measures released by the Governor's Office on May 29, 2020.⁴
- To get temporary approval for the additional area, you must submit through your Viewpoint account an application for *Temporary Extension of Licensed Premises Due to COVID-19*. See below for the application requirements.

Restaurants that do not already have any approved outdoor dining area.

- You must submit through your Viewpoint account an application for *Temporary Extension of Licensed Premises Due to COVID-19*. See below for the application requirements.

APPLICATION REQUIREMENTS:

- (1) Copy of the floor plan showing the dimensions of the area (including the square footage), where the tables and chairs will be located, the distance (in dimensions) of the space between tables/chairs, the location of the hostess stand (if applicable), location of sanitizing station, the total capacity of the area, the barriers (including material and dimensions) proposed to be used to delineate and secure the outdoor area, any existing street furniture, infrastructure or tree grates, and if the proposed area is on a sidewalk, the dimensions of the remaining passable sidewalk, which must be no less than four feet (4'). The floor plan does not have to be stamped by an architect, but it must depict accurate dimensions.
- (2) For private property, copy of the lease/letter of intent showing that you have the right to occupy the area.
- (3) [If extending to public property] Indemnification Agreement.
- (4) [If extending to public property and seeking to serve alcohol along with food in outdoor area] Sidewalk/Street Restaurant Patio License, Maintenance and Indemnification Agreement completed by the Applicant.
- (5) [If extending to public property] \$5000 Sidewalk Obstruction or Permit Bond.
- (6) [If seeking to serve alcohol along with food in outdoor area] Proof of liquor liability insurance.
- (7) [If extending to public property] Photo of sidewalk and/or street area of proposed patio location.
- (8) Photo of barriers being used to separate area from vehicle, bicycle and pedestrian traffic.
- (9) Any other document/information necessary and as requested by the City of Cambridge.

APPROVAL PROCEDURE:

- (1) The application will be reviewed for completeness by a License Commission staff member.
- (2) When the application is deemed complete by the License Commission staff, it will be forwarded to other relevant City departments for review and approval. This may include a review by Inspectional Services Department,⁵ Traffic, Parking and Transportation Department

⁴ See Footnote No. 1.

⁵ Pursuant to COVID-19 Order No. 35, zoning requirements in the City of Cambridge Zoning Ordinance, or in any applicable special permit or variance, will temporarily not apply to outdoor dining service, but the Inspectional Services Department will review the application for compliance with all other applicable laws, rules and regulations.

("TPT") and Department of Public Works ("DPW"). All relevant departments will have the ability to review the application simultaneously. Once all relevant departments approve the application, it will proceed to the Final Approval Step.

(3) Once the application proceeds to the Final Approval Step, the application will be voted upon by the Board of License Commissioners ("Board"), during a public meeting. Pursuant to COVID-19 Order No. 35, the Board is not required to publish and mail notice of the application before voting, nor is public testimony required. If authorized by law, the Board will designate a designee to approve applications which will then be subsequently ratified by the Board.

(4) Once approved, the License Commission will issue a *Temporary Outdoor Extension License* and if applicant seeks to serve alcohol along with food, the City will review application for the Street/Sidewalk Restaurant Patio License, Maintenance and Indemnification Agreement and approve it if all criteria have been met.