

**City of Worcester
License Commission**



**SIDEWALK DINING SUPPLEMENTAL APPLICATION -
TEMPORARY EXTENSION OF PREMISES FOR OUTDOOR DINING**

Note: This application is to be used only for temporary extensions of outdoor table service during the period in which applicable COVID-19 Emergency Orders are in effect.

This supplemental application is to be completed ONLY by applicants seeking outdoor dining on public sidewalks as part of their temporary extension of premises for Outdoor Dining application.

An additional DPW&P Sidewalk Use permit is NOT required for temporary Outdoor Dining extensions during the COVID-19 re-opening period.

1. APPLICANT INFORMATION

A.	Entity (Restaurant) Name (D/B/A) <i>different</i>	Legal Name (Individual/Corporation), <i>IF</i>
B.	Restaurant Address	Mailing Address (<i>IF different from restaurant</i>)
C.	Applicant/Applicant's Contact Name	Title (e.g. <i>Owner, Manager, etc.</i>)
D.	Email Address	Phone Number

2. ATTACH the following documents for your application to be deemed COMPLETE:

- A **sketch or diagram** depicting the proposed outdoor dining area including the proposed number and location of tables, chairs and other equipment, pedestrian access points to the dining area, and how the dining area will be separated from rest of sidewalk. Include all physical features in the immediate vicinity including driveways, wheelchair ramps, fire hydrants, trees, poles, etc. Label the name of street, width of sidewalk, length and width of sidewalk being utilized for outdoor dining, and demonstrate compliance with all applicable setbacks..

- A **Certificate of Insurance** indicating \$2,000,000 in liability and naming City of Worcester as the certificate holder.

Note: Applicants must also submit an Application for Temporary Extension of Premises for Outdoor Dining.

3. APPLICANT'S CERTIFICATION

- 1) This license extension allows only the placement of obstructions on the sidewalk in the licensed area as set forth herein and does not authorize the license holder to serve food or beverages or allow the consumption of such within the licensed area.
- 2) This license extension is temporary and only valid while applicable State and City Executive Orders regarding COVID-19 are in effect.
- 3) All temporary license extensions to use a public sidewalk for outdoor dining are subject to the standard conditions and setback requirements found in the Department of Public Works & Parks regulations pertaining to Outdoor Dining on Public Sidewalks as revised. I have read, and agree to abide by, the Department of Public Works & Parks regulations and these license requirements (specified on page 3).
- 4) The Licensee assumes full and exclusive responsibility for compliance with all federal, state, or municipal laws, rules, orders, regulations, health and safety procedures, or requirements which may be applicable to the activities conducted on the public right of way pursuant to the Temporary Extension of Outdoor Dining License issued by the Worcester License Commission.
- 5) The Licensee agrees to save harmless and indemnify the City, its successors and assigns for any loss, cost, damage or injury arising or resulting from acts or omissions of the Licensee, its personnel, employees, agents, invitees, patrons, servants, contractors, subcontractors, and/or representatives in connection with their use of the public right of way under the Temporary Extension of Outdoor Dining License issued by the Worcester License Commission.

Signature of Applicant

Date

Name of Authorized Signatory (*please print/type*)

Title (*e.g. Property Manager, Attorney, etc.*)

4. **EMAIL** the supplement application **AND** the above required attachments to OutdoorDining@worcesterma.gov to begin the review process.

Applications *must* be complete to assure timely review and approval. Applications will be reviewed in the order they are received. Incomplete applications will cause processing delays.

Outdoor Dining on Public Sidewalks Permit License Requirements

All outdoor dining extensions onto public sidewalks must comply with the following requirements.

1. Setbacks Requirements

- a. Outdoor dining areas shall be setback:
 - i. Five (5) feet from a crosswalk, handicap ramp, driveway or intersection.
 - ii. Five (5) feet from the side of the curb closest to the street.
 - iii. Meet any other dimensional or operational requirements established by the Worcester License Commission or the Commissioner of Public Works and Parks.

2. Standard Conditions

- a. All sidewalk dining licenses are subject to the following standard conditions:
 - i. A liability insurance policy naming the City as an additional insured must be obtained and valid throughout the period of the license.
 - ii. Licensed area must be contiguous to the licensed premises and maintained.
 - iii. A 5 foot aisle along sidewalk outside of the licensed area must be maintained. The 5 foot aisle must be a clear path that does not include any obstructions such as light poles, fire hydrants, sign posts, bollards, etc.”
 - iv. Licenses are temporary and shall expire when no longer authorized by Executive Order of the Governor and/or City Manager as applicable.
 - v. All chairs, fencing, tables, umbrellas and other equipment shall be secured at or before 12:00 a.m. each day and during inclement weather.
 - vi. The sidewalk shall be completely free of snow and ice along the entire frontage of the building within which the establishment is located.

3. Compliance

- a. All outdoor dining licenses are subject to immediate revocation by the Worcester License Commission for failure to comply with the conditions of the license, or any violation of rules and regulations of the City or State which may apply.