



City of Chicopee

Temporary Outdoor Dining Guide & Application

June 5, 2020

The following Interdepartmental Guidance (the 'Guidance') is meant to assist Establishments requesting a temporary extension of premises onto outdoor public and private space and/or the creation of temporary outdoor dining areas. The Guidance may be updated from time to time at the City's discretion. Please note, the submission of an Application in no way constitutes an approval of a temporary extension.

Application Fees: Waived

Insurance: If all or a portion of a temporary outdoor dining area is proposed on **public property or within public right-of-row (ROW)**, the Establishment must provide a Certificate of Insurance evidencing commercial general liability insurance with minimum amounts of \$1 million per occurrence/\$2 million general aggregate. The City of Chicopee must be included as an additional insured and confirmed as such on the certificate of insurance. If alcohol is to be served the City requires liquor liability coverage of \$1 million per occurrence with the City listed as additional insured.

Permit Timeframe: Any permit approved for temporary outdoor dining areas shall be valid through **November 1, 2020**.

Hours of Operation: Food service with or without alcohol service will adhere to a 9:00pm curfew. All outdoor dining to conclude at 10:00pm.

Site Plan Sketch & Written Description: A sketch or scaled site plan showing proposed locations of temporary outdoor dining areas, site photos, and a written description is required with the application.

If formal site plans are not available, utilize the City's GIS Map Tool at https://hosting.tighebond.com/chicopeema_public/ to create an aerial image of the property to sketch on. See GIS instructions provided with this Guidance.

Inspections: Upon approval and prior to beginning service, a joint inspection will be coordinated with representatives from the following Departments:

- Health;
- Building;
- Fire;
- Police; and
- License Commission (if necessary).

Guidelines for Temporary Outdoor Dining

- Outdoor food preparation and bar services are prohibited.
- Live entertainment is prohibited.
- For establishments with Liquor Licenses, an extension of premises to the temporary dining area(s) is required, confirm the Establishment is requesting such an extension on the Application.
- Temporary outdoor dining areas should be located as close to the building, adjacent if possible, and placed away and/or screened from any abutting residential properties.
- Social distancing space of six (6) feet must be maintained in all areas.
- An access pathway for emergency services, which cannot be impeded by parking, must be within 150 feet of all points of the temporary outdoor dining area and first floor of the associated building.
- Must maintain ten (10) feet of clearance on all sides of a fire hydrant and not block access to a Fire Department Connection on any building.
- For temporary outdoor dining areas located entirely on the establishment's property, follow all property line setbacks for the property's Zoning District.
- For temporary outdoor dining areas located on public property or within public ROW, a minimum of a six (6) feet width for pedestrian traffic must be maintained on any sidewalks considered for use.
 - In low traffic areas, appropriate barriers (i.e. pallet fencing, steel barricades, lighter planters, plants and roping, A-frame barricades, and traffic cones) is required to denote the temporary outdoor dining area and remaining through access for pedestrians.
 - In high traffic areas or public parking lots, appropriate barriers per Parking Lot Guidelines, below, are required.
 - In the event of a weather emergency, public health emergency, riot, or other emergency situation, the Establishment will be required to remove all materials from the public ROW.
- Patrons must have access to indoor restrooms with social distancing markings and temporary signage in place. The Application must include a description of the Establishment's plan to accommodate this requirement.
- Establishments are responsible for the daily maintenance and cleaning of the temporary outdoor dining area, and inside and around the outside of any installed barriers. The temporary outdoor dining area must be kept clean of trash, food, and other debris.

- Establishments must have a plan to address the cleaning of food spills to avoid attracting rodents, flies, and other pests to the temporary dining area.
- All tables, chairs, decorative items, and other materials must be secured so that these materials will not enter the street, sidewalk, or other public ROW outside of the demarcated space. Umbrellas should be anchored and planters weighted. Tents are not permitted in public ROW unless otherwise approved.

Tent, Awning, Canopy, and Temporary Structure Guidelines

- In accordance with the Massachusetts Building Code, 780 CMR 105, 107, 108, 16, and 31, a permit shall be required for the placement or erection of tents and other temporary or permanent structures. The application should be submitted through the Building Department's electronic permitting system at: <http://www.chicopeema.gov/626/Online-Permits-and-Licenses> which is available on the Building Department page at www.chicopeema.gov.
- Membrane structures (tents) must be of non-combustible material as defined by 780 CMR 3102.3.1. The structure shall be designed and constructed to sustain all loads including wind loads in accordance with 780 CMR 16. A photo of the fire resistance label or certification along with the manufacturer's installation instructions and design loads table must be included with the submitted Application for permit.
- Lighting powered by commercial power (120v) is required to ensure the tent meets the light requirements of 780 CMR. A wiring permit shall be required for any power or lighting provided to the temporary outdoor dining area.
- Exit signs and emergency egress lighting must be provided if side panels or wall panels are included on the temporary structure or if the occupancy of the structure exceeds fifty (50) persons, per the requirements of 780 CMR.
- No cooking under tents is permitted.
- No smoking or heating devices are allowed under a tent.
- Any exit from a tent must allow clear discharge that does not lead patrons directly onto a street or parking lot with moving vehicles.
- One (1) fire extinguisher should be relocated from the empty interior dining area of the restaurant to the exterior tent and placed in a readily visible location on the path of egress.

Parking Lot Guidelines

- Appropriate hard barriers (i.e. water-filled barriers, concrete jersey barriers (may be painted), or heavy planters are required between temporary outdoor dining areas and remaining parking areas.
- Patrons visiting temporary outdoor dining areas cannot overflow onto public ROW (streets) or remaining designated parking areas.
- An appropriate re-routing of vehicular traffic through the parking lot is required. Please propose an alternate vehicular routing plan for review should the existing traffic flow be interrupted as part of the Establishment's plan.
- Establishment must maintain and/or relocate required handicapped parking spaces and ensure required access for handicapped patrons to temporary outdoor dining areas.

Health Guidelines

- Licensees must adhere to the Commonwealth's and City's guidelines regarding social distancing and COVID-19 prevention:
 - Tables must be separated by a minimum of six (6) feet.
 - Tables must be (6) feet away from any high foot traffic areas (e.g., routes to restrooms, entrances, and exits).
 - No more than six (6) customers, including children, allowed per table.
 - Limit visitors and vendors on-site; shipping and deliveries should be completed in designated areas.
 - Encourage the use of technological solutions where possible to reduce person-to-person interaction (i.e, contactless payment, mobile ordering, text on arrival for seating).
 - Establish adjusted workplace hours and shifts for workers to minimize contact across workers and reduce congestion at entry points.
- Alcohol-based hand sanitizers with at least 60% alcohol must be made available at entrances, exits, and in the temporary outdoor dining area.
- Face coverings are required for all patrons and workers, unless an individual is unable to due to a medical condition or disability. Patrons may remove their face covering while seated at tables.
- Establishments must limit access to restrooms to one (1) customer at a time and clean commonly touched surfaces frequently and in accordance with CDC guidelines.
- Trash receptacles must have lids.

- Self-serve, unattended buffets, topping bars, drink stations, and other communal serving areas must remain closed.
- Establishments must submit cleaning and sanitizing plans:
 - Cleaning logs must be kept (date, time, scope of cleaning, etc.).
 - Tables and chairs must be cleaned and sanitized thoroughly between each seating.
 - All workers must wash their hands frequently, and table servers must wash their hands or apply hand sanitizer between each table interaction.
 - Avoid all food contact surfaces when using disinfectants. Food contact surfaces must be cleaned and sanitized before use with a sanitizer approved for food contact surfaces.
 - Non-food contact surfaces must be frequently cleaned.
- Post visible signage throughout the temporary outdoor dining area to remind workers and patrons of hygiene and safety protocols.
- Utensils and place settings must be either single-use or sanitized after each use; utensils should be rolled or packaged. Tables should not be pre-set.
- Menus must be one of the following:
 - Paper, single-use menus disposed of after each use.
 - Displayed menu (e.g., digital, whiteboard, chalkboard, etc.)
 - Electronic menus viewed on patrons' phones / mobile devices
- Condiments and similar products (i.e. salt, pepper, and salad dressing) should not be on tables and instead only be provided upon request in single-serving portions.
- Establishments may not provide customers with buzzers or other devices to provide alerts that seating is available or orders are ready. Patrons shall not congregate while waiting for a table.
- Establishments must screen workers at each shift by ensuring the following:
 - Worker is not experiencing any symptoms such as fever (100.3 and above), cough, shortness of breath, or sore throat.
 - Worker has not had 'close contact' with an individual diagnosed with COVID-19.
 - Worker has not been asked to self-isolate or quarantine by their doctor or the Chicopee Health Department.
 - Worker(s) who are sick or feeling ill must be sent home.
- If the Establishment (employer) is notified of a positive case at the workplace, the employer should notify the Chicopee Health Department:
 - In the event of a presumptive or actual positive COVID-19 case of a worker, patron, or vendor, the Establishment must be immediately shut down for twenty-four (24) hours and then must be cleaned and disinfected in accordance with current CDC guidelines before re-opening.

Chicopee License Commission Guidance

- Food and/or alcoholic beverages cannot be served outside of the licensed premise, even on a temporary basis, without the written permission by the License Commission. Said permission must be posted conspicuously inside the licensed premise.
- The Licensee must have the legal right to occupy the temporary extension. If the outdoor space is on private property a letter from the landlord granting the right to utilize the space is required.
- The temporary extension must be monitored at all times by the Licensee with either a clear view of the entire area from within the licensed premise or a dedicated staff member monitoring the temporary extension
- The Licensee must abide by all city, state, and federal guidelines, advisories, orders, laws, and regulations as they may be issued or amended from time to time including but not limited to social distancing guidelines.
- All forms of live entertainment will not be permitted on temporary extensions at this time. The License Commission may revisit this in the future.
- Any temporary extension granted by the Commission is on a non-precedent setting basis and may be rescinded by the License Commission at any time and will terminate on or before November 1, 2020.



City of Chicopee

Temporary Outdoor Dining Permit Application

Upon approval, valid through November 1, 2020 // Before completing review City Guide.

Applications are to be submitted via email to Laurie Taillefer at: ltaillefer@chicopeema.gov

Questions regarding the application will be submitted to Lee Pouliot at: lpouliot@chicopeema.gov

Applicant Contact Information	
Name	
Address	
City, State, & Zip	
Phone	
Email	

Applicant Business Information	
Business Name	
Business Address	
City, State, & Zip	
Phone	
Email	
Website	

Outdoor Dining Space Information	
Location of the dining area on the property	
Dining Type (fast food, wait service, seat yourself, cafe, etc.)	
Hours of Operation (Cannot exceed 10pm)	
Existing Alcohol Licensee requesting an extension of premise (Y/N)	
Will tents or shade structures be used? (Y/N) <i>If so, apply for Tent Permit with the Building Dept.</i>	
Tent size	
Will temporary electricity be utilized? (Y/N)	
Will dining be located on public land or in the public Right-of-Way? (Y/N)	
Proposed Outdoor Occupancy (tables/patrons)	

Outdoor Dining Description: (e.g. number and location of tables/chairs, garbage receptacles, safety measures, fencing or other separation, social distancing measures, traffic, and parking changes, etc.) See City Guide for guidance and attach a site plan.

Temporary Outdoor Dining Checklist

- Sketch temporary outdoor dining proposal on to GIS aerial
 - Location of outdoor dining on the property
 - Location of tables and chairs
 - Location of barriers to protect the area from parking and streets
 - Location of any temporary structures (if being used)
 - All parking spaces

LINK to Chicopee GIS: https://hosting.tighebond.com/chicopeema_public/

- If applicable:
 - Insurance Certificates for use of Public Land or Public Right-of-Way
 - Tent Permit Application
 - Landlord written permission