



Town of Milton Temporary Outdoor Seating Under the Massachusetts COVID-19 Guidelines

As Massachusetts reopens the economy in accordance with the Baker-Polito Administration comprehensive plan, restaurants may be seeking to temporarily add or expand outdoor seating. In an effort to streamline this process for Milton restaurants, the Town has developed the following guidance which includes the minimum requirements from all relevant Town Departments.

The Town of Milton will follow all guidance and requirements as published by the State of Massachusetts throughout the re-opening process (www.mass.gov). Guidance may be amended from time to time at the discretion of the Select Board.

Please carefully review all guidance documents issued by the State, as well as the Town requirements listed below.

The link to an on-line application can be found under the “How to Proceed” section below

State Guidance Documents:

[Governor Baker’s COVID-19 Order No. 35 \(see section 4\)](#)

[MA Restaurants COVID-19 Safety Standards](#)

[MA Restaurants COVID 19 Checklist](#)

[ABCC June 1, 2020 Advisory Regarding LLA Approval of Outdoor Seating](#)

[ABCC July 28, 2015 Advisory Regarding Guidelines for Patio and Outdoor Areas](#)

Town Requirements:

Site plan: Please submit a site plan indicating the location of outdoor seating area, any tent(s) relative to buildings and parking, tables and seating (must include required 6 foot spacing), fencing and barriers, hand sanitizing stations and worker’s sanitizing stations. Hand drawn plans are acceptable but all distances must be exhibited on plan.

Permission of Property Owner: Please provide signed approval of the property owner to add proposed outdoor seating.

Tents: If installing a tent, a permit must be obtained from the Building Department. Fifty percent (50%) of the tent perimeter must be open for airflow and a certificate of flame resistance must be submitted and approved.

Fencing / Barriers: All outdoor eating areas must be encompassed by fencing/barriers.

Clear Access: Fire lanes, exits, hydrants, fire department connections, and other features of fire protection must be kept clear. Fifty percent (50%) of the tent perimeter must be open for airflow.

Tables and Chairs: No tablecloths may be used and tables must be washable. Please submit photo of proposed tables and chairs along with description of table and chair material.

Hand Sanitizing Stations: Hand sanitizing stations shall be at all entrances/exits and periodically maintained and stocked.

Workers' Sanitizing Station: A workers' sanitizing station (containing all of the elements of the currently required indoor station) with the addition of disposable gloves and masks must be present in the outdoor seating area.

Restrooms: Inside/Outside bathrooms are permitted but must follow the MA safety standards as well as the EEA guidance for outdoor recreation bathroom maintenance.

<https://www.mass.gov/doc/eea-covid-19-cleaning-of-restrooms-best-practices-5-18-20/download>

Trash Barrels: Covered trash barrels are required in outdoor seating area.

Alcohol: Pursuant to the Governor's Order on June 1, 2020, restaurants with a license for "on-premise" consumption of alcohol may commence outdoor table service only. Indoor service will remain prohibited until further order from the Governor. The Select Board, acting as the Local Licensing Authority (LLA) and per the Governor, may alter the description of the licensee's licensed premises to expand for outdoor seating that they deem "reasonable and proper." The LLA does not need to comply with M.G.L. c. 138, § 15A, and therefore does not need to provide advance notice to abutters or hold a public hearing on the application. LLAs will follow the ABCC's guidelines issued in 2015 for Patio and Outdoor Areas.

Alcohol Monitoring: Restaurants serving alcohol must properly monitor all entrance and exit points. There must be a clear view of the outdoor seating area from inside the premises, or, alternatively, management personnel must be dedicated to the area.

Insurance: If seating is approved in the public way, a certificate of liability insurance naming the Town of Milton as an additional insured is required.

Hours of Operation: All temporary outdoor seating areas must be closed by 10:00 PM unless later hours are approved in advance by the Select Board.

Entertainment: No live entertainment will be allowed in temporary seating areas unless approved by the Select Board.

For questions regarding Alcohol or Entertainment License amendments please contact:

Select Board Office

Jennifer McCullough, Contract & Licensing Agent

(617)898-4846

jmccullough@townofmilton.org

Inspection: All temporary outdoor seating spaces shall be inspected prior to occupancy.

Duration: Approvals for temporary outdoor seating areas and related tent permits will expire on the date State [COVID-19 Order No. 35](#) is rescinded OR November 1, 2020.

***Reminder from Health Department

Restaurants should not keep doors propped open as they serve food outside. Per the Food Code, doors and windows that open to the outside need to be closed, tightfitting and have no gaps. Windows, if open, should have #16 mesh screening or an air curtain or other preventative means to keep pests from coming in (see 6-202.15 Outer Openings, Protected in the Food Code). Restaurants are required to adhere to the Food Code and 105 CMR 590.000.

HOW TO PROCEED

Apply On-Line: After carefully reviewing the above referenced guidance, please [click here](#) to apply on-line for temporary outdoor seating.

Receive Initial Approval: Once your online application has been approved, you will be notified that you may begin installation of the outdoor seating area.

Inspection: Once installation is complete, please contact the following persons to request inspection for your final approval:

Health Department

Laura Dellechiaie, Health Agent

(617)898-4885

ldellechiaie@townofmilton.org

Building Department

Joseph Prondak, Building Commissioner

(617)898-4926

jprondak@townofmilton.org

Fire Department

Steve Mattaliano, Fire Prevention

(617)898-4906

smattaliano@townofmilton.org

Final Approval: Upon successful inspection(s), your signed application will be forwarded to the Select Board for final approval. Once reviewed and approved by the Select Board, your temporary permit will be issued.



**Town of Milton Temporary Outdoor Seating
On-premise Alcohol/Common Victualler Alteration/Expansion Application
Under the Massachusetts COVID-19 Guidelines**

This following application is for the temporary alteration/expansion of premise in accordance with Governor Baker's June 1, 2020 Order to allow restaurants temporary outdoor seating for **outdoor table service only**. Indoor service will remain prohibited until further order by the Governor. Please be aware that all altered/expanded premises approved pursuant to this Order are only effective through November 1, 2020 or until the Order is rescinded and will immediately revert back to the original licensed premises. The Town of Milton will follow all guidance and requirements as published by the State of Massachusetts throughout the re-opening process (<https://www.mass.gov/>). Guidance may be amended from time to time at the discretion of the Select Board. Licensees must adhere to the [state's guidelines](#) regarding social distancing and COVID-19 preventions

Business name: _____

Business address: _____

ABCC License # (if applicable): _____

Main Contact: _____

Email address: _____

Phone Number: _____

Do you own or rent the property? (If renting, must include written Property Owner Consent)

Days and Hours of operation? _____

Detailed description of expansion including dimensions: _____

*Site Plan of expanded seating area with dimensions (by hand or computer) must be attached to this application.

Number of tables: _____

Number of chairs: _____

Will a tent/canopy be installed? _____

Number of tents/canopies? _____

Tent/canopy dimensions: _____

(Tents over 400 square feet and canopies over 700 square feet are required to obtain a permit from the Building Department. All tents and canopies must be fire resistant with a certificate of proof.)

*Expansion area must be enclosed by a fence, rope, or other means to prevent access from public walkway. Please briefly describe fencing/barriers to be used on perimeter of seating area: _____

Is the proposed outdoor seating area in the public right of way? _____
(This will require Select Board approval and further interdepartmental review.)

I, _____ being the owner or manager of _____, acknowledge and accept the responsibility of diligent adherence to all state and local mandatory safety standards for workplaces and outdoor dining.

Applicant Signature: _____ Date: _____

Building Department – Premises meet zoning regulations for expansion
Comments:

Signature: _____ Date: _____

Health Department – Premises have passed all safety inspections for expansion
Comments:

Signature: _____ Date: _____

Fire Department – Premises have passed all fire safety inspections for expansion
Comments:

Signature: _____ Date: _____

Select Board – Final application review and meeting date

Signatures: _____ Date: _____

