

GUIDELINES
EXTENSION OF PREMISES:
OUTDOOR DINING IN STREET PARKING SPACES AND OR CONTIGUOUS PERIMETER SPACE

This guidance is a step-by-step instruction manual if you would like to use the parking space(s) outside your restaurant to allow for outdoor dining to increase business activity and revenues in a safe and responsible way during the COVID-19 pandemic.

Before any public parking or contiguous spaces are used for the benefit of the restaurant, the owner or his/her/their designee, shall submit the following information to Darlene Wansiewicz via email at dwansiewicz@city.waltham.ma.us

For additional information regarding COVID safety and sector-specific guidance for reopening, go to:
<https://www.mass.gov/info-details/reopening-massachusetts>

REQUIRED DOCUMENTS

- I. **Basic Information** – fill out the attached form and include it with your submittal.
- II. **Plan** – submit a drawing showing the parking space(s) you would like to use for outdoor dining that includes the following information:
 - a. Dimensions of the parking area you would like to use for outdoor dining.
 - b. Location(s) of curb cuts with accessible ramps from the sidewalk to the parking space(s).
 - c. Distance between the entrance to your restaurant and the outdoor dining area.
 - d. Layout of tables and chairs.

NOTE: Tables must be spaced 6’ apart to facilitate social distancing.
 - e. Dimensions of tables.
 - f. Photo or description of barriers to be used around the perimeter of the outdoor dining area.

Responsibilities of the Restaurant

The restaurant, through its owner and/or manager, is responsible for the following as it pertains to the use of the parking spaces for outdoor dining:

1. Adherence to the plans and documents submitted, reviewed and approved;
2. Procurement of tables, chairs, disinfecting stations, and any other physical items that will be inside the outdoor dining area;
3. Procurement and installation of temporary safety barriers to be placed around the perimeter of the outdoor dining area identifying the space and providing a buffer from street traffic.
4. Provide evidence of liability insurance as directed by the City.

BASIC INFORMATION

1. Business name:

2. Business address:

3. Business phone number:

4. Owner/manager:

5. Owner/manager email address:

6. 24-hour contact number (In case of issues outside of normal business hours):

7. Business hours of operation:

8. How many parking spaces are you seeking to use for outdoor dining? _____

9. 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.

10. Will you be using umbrellas? ☐ YES ☐ NO

If YES, The minimum height of umbrellas must be 7' as measured from the base to the lowest point of the umbrella as it is open. The umbrella must not hang over the clearance aisles within the outdoor dining area or adjacent public ways.

11. Will you be serving alcohol in the outdoor dining area? ☐ YES ☐ NO

If YES, contact Darlene Wansiewicz in the Licensing Department at dwansiewicz@city.waltham.ma.us regarding the process to extend your premises to allow the sale and consumption of alcohol in the outdoor dining area.

OUTDOOR DINING COVID-19 SAFETY PROTOCOL PLAN

I. Social Distancing. Check the boxes to certify that you have:

- ☐ Ensured that all persons, including employees and customers in the outdoor dining area, remain at least six feet apart to the greatest extent possible.
- ☐ Established protocols to ensure that employees can practice adequate physical distancing.
- ☐ Posted signage for safe physical distancing.
- ☐ Required face coverings or masks for all employees that cover their mouth and nose.

II. Hygiene Protocols. Check the boxes to certify that you have:

- ☐ Provided hand washing capabilities throughout the workplace.
 - ☐ Ensured frequent hand washing by employees and provided adequate supplies to do so.
 - ☐ Provided regular sanitization of high touch areas, such as workstations, equipment, screens, tables and chairs, perimeter barriers, doorknobs, restrooms.
 - ☐ Implemented additional procedures. Please describe them here:
-

III. Staffing and Operations. Check the boxes to certify that you have:

- ☐ Provided training for employees regarding the social distancing and hygiene protocols.
 - ☐ Ensured employees who are displaying COVID-19-like symptoms do not report to work.
 - ☐ Implemented additional procedures. Please describe them here:
-

IV. Cleaning and Disinfecting. Check the boxes to certify that you have:

- ☐ Established and maintained cleaning protocols specific to the outdoor dining area.
 - ☐ Ensured that when an active employee is diagnosed with COVID-19, cleaning and disinfecting is performed
 - ☐ Prepared to disinfect all common surfaces at intervals appropriate to said workplace.
 - ☐ Implemented additional procedures. Please describe them here:
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Signature of Owner/Manager

Print Name

Date

**AFFIDAVIT
OUTDOOR DINING COVID-19 SAFETY PROTOCOL**

I, _____ (write name) being the owner or manager of
_____ (name of restaurant) located at
_____ Waltham, MA, acknowledge and accept the
responsibilities of maintaining a clean and safe outdoor dining experience for guests and for staff
in the outdoor dining area through the diligent adherence to the Outdoor Dining COVID-19 Safety
Protocol Plan submitted along with any and all mandatory state safety standards for workplaces
and outdoor dining.

Signature of applicant

Date

Print Name

Requirements for Accessibility

Dining must be accessible and meet ADA and Massachusetts Architectural Access Board's regulations. <https://www.mass.gov/law-library/521-cmr>

521 CMR 17.00: RESTAURANTS

17.2 SEATING

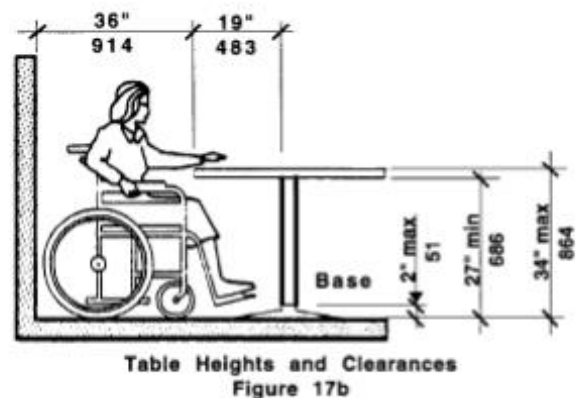
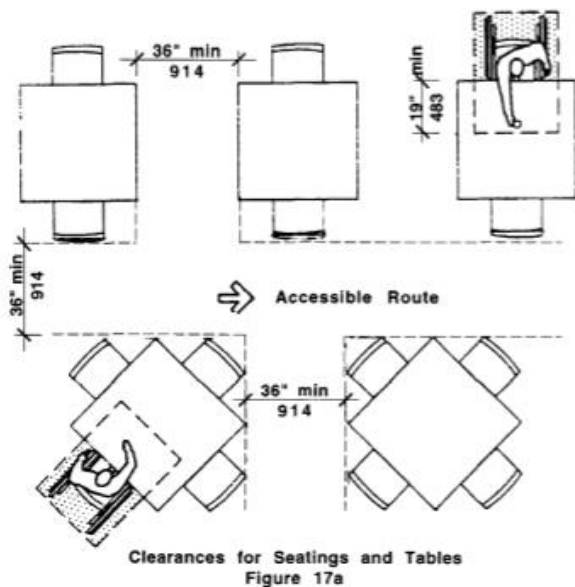
At least 5% but not less than one, of the tables shall be accessible, be on an accessible route, and in compliance with the following:

17.2.2 A 36-inch (36" = 914mm) access aisle shall be provided between all accessible tables. No seating shall overlap the access aisle. See Fig. 17a.

17.2.3 Clear floor space as defined in 521 CMR 5.00: DEFINITIONS shall be provided at each seating space. Such clear floor space shall not overlap knee space by more than 19 inches (19" = 483mm). See Fig. 17a.

17.2.4 Knee Clearances: If seating for people in wheelchairs is provided at tables or counters, knee spaces at least 27 inches (27" = 686mm) high, 30 inches (30" = 762mm) wide, and 19 inches (19" = 483mm) deep shall be provided. See Fig. 17b.

17.2.5 Height of Tables or Counters: The tops of accessible tables and counters shall be from 28 inches to 34 inches (28" to 34" = 711mm to 864mm) above the finish floor or ground. See Fig 17b.



Acceptable Barriers

Barriers placed around the perimeter of the outdoor dining area must meet the following requirements:

- Height: Between 36" – 38" in height
- Not Permanent: Free-standing, stable, and easily removed
- Continuous Rail: They must have a continuous rail 2" to 6" from the sidewalk or parking space surface
- Base: The base of the barrier must be flat, with less than ½" thickness and placed so that it extends less than 6" into the areas around the outdoor dining area.

Samples of Acceptable Barriers

