

Waltham City Council  
610 Main Street  
Waltham, MA 02452

## Application for Permit to Place Restaurant Tables and Chairs on Sidewalk

**Please check one:**

New Business (First time Permit)       Permit Renewal

Permit is valid for one year from the date of issuance.

**Please review all requirements on back page.**

Name of Business: \_\_\_\_\_

Business Address (Physical address): \_\_\_\_\_

Phone No: \_\_\_\_\_ Hours of Operation: \_\_\_\_\_

Applicants Name: \_\_\_\_\_

(This is the Owner of Business or Legal Representative authorized to sign on behalf of Business).

Applicants Address: \_\_\_\_\_

Phone No: \_\_\_\_\_ Email Address: \_\_\_\_\_

Time Period for which Permit is Being Sought: \_\_\_\_\_ to \_\_\_\_\_  
(MM/DD/YY) (MM/DD/YY)

Proposed Hours of Operation on Sidewalk: \_\_\_\_\_  
(From HH:MM to HH:MM)

Describe the location and area of the sidewalk proposed to be used for tables and chairs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(Please provide a detailed scale drawing showing the area of the sidewalk to be used and the proposed location of the tables and chairs.)**

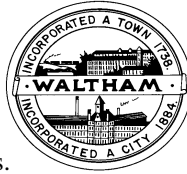
Number of Tables: \_\_\_\_\_ Number of Chairs: \_\_\_\_\_

Does the business have a liquor license? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, will the restaurant be seeking and “Extension of Premises” from the License Commission to allow serving alcoholic beverages on the permitted area of the sidewalk? Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner or Legal Representative authorized to sign on behalf of entity

\_\_\_\_\_  
Date



Section 17-7.2 Restaurant tables and chairs on sidewalks.  
[Ord. No. 28708, 1-11-1999]

- (a) The City Council may issue a permit to allow a restaurant to place tables and chairs on a public sidewalk for the use of its customers. Every such permit shall expire at the end of the calendar year in which it is given. No person shall place any tables or chairs on any public sidewalk unless a permit has been issued by the City Council and is in effect. The fee for such permit shall be \$25. As a prerequisite to the issuance of any such permit granted by the City Council, the City Clerk shall require a suitable cash deposit, surety bond or insurance indemnity policy to save the city harmless from all liability of any nature whatsoever caused directly or indirectly by such use of the sidewalk. The amount of such deposit, surety bond or insurance indemnity policy shall be set by the City Council; the amount of the surety bond or insurance indemnity policy shall not exceed \$1,000,000.
- (b) The City Council shall specify the maximum number of tables and the maximum number of chairs that will be allowed and any special restrictions that it may impose on any permit issued under this section. No person shall place more tables or chairs than provided for in the permit or violate any restriction included in any such permit issued by the City Council.
- (c) Tables and chairs shall only be placed on that section of the sidewalk that directly abuts the permitted establishment. No tables or chairs shall be placed on any sidewalk within five feet of any entrance or exit to any residence or any business except that to which a permit has been issued. A clear path, at least five feet (5') in width, shall be maintained at all times from all exits and entrances to the building in which the restaurant is located to the public sidewalk outside the permitted area so as to provide adequate access and egress in case of fire or other public safety emergency.
- (d) Tables and chairs shall be placed in such a manner that a clear and unobstructed path of at least five feet in width remains on the sidewalk for pedestrians.
- (e) No tables or chairs shall be placed on any sidewalk within 15 feet of any fire hydrant or fire lane; or within five feet of any marked pedestrian crosswalk, bus stop, taxi stand, fire alarm box, police call box, driveway, traffic control signal, mailbox, public bench, handicapped parking space, or handicapped ramp.
- (f) No tables or chairs shall be placed on any sidewalk between the last day of October and the first day of April. Tables and chairs may, when a permit has been issued by the City Council, be placed on and allowed to remain on a sidewalk during the regular business hours of the restaurant to which said permit has been issued; except that in no case shall such tables and chairs be allowed to be used between the hours of 11:00 p.m. and 8:00 a.m.
- (g) No restaurant shall give, sell, deliver, serve or allow the possession or consumption of any open bottle, can or container of alcoholic beverage, as defined in MGL c. 138, § 1, at or upon any table or chair placed on a public sidewalk unless the restaurant has a valid license to sell alcohol inside the premises of the restaurant, the restaurant has been granted an extension of premises by the License Commission for the area permitted under this section, and such activity is expressly permitted in writing by the Waltham City Council.  
Where alcohol is served, the area where it is consumed or served must be clearly delineated with a barrier such as a planter, rope, handrail, or other feature that separates it from the sidewalk and is no less than three feet in height, stable, removable, and not fastened to the sidewalk. No alcohol may be served or carried beyond this designated area. All legal requirements for sale of alcohol must be honored. Such establishments also must post a sign at all exits from the permitted area stating the following: "It is unlawful to consume alcoholic beverages not purchased on the premises or to remove them from the boundaries of this sidewalk café."
- (h) It shall be the responsibility of any restaurant issued a permit under this section to keep the sidewalk free of all litter, garbage, filth or other waste in accordance with the provisions of Section 17-1 of the General Ordinances and to keep all tables and chairs thereon in a safe, clean and well-maintained condition.
- (i) Compliance with this section shall be the sole responsibility of the establishment to which any permit is issued. Tables or chairs placed in violation of any provision of this section or any condition of a permit issued thereupon may be removed by or under the direction of any police officer or the Director of Public Works and at the owners' expense. In addition to any fines provided for in Section 1-13, the City Council may, upon hearing, revoke any permit for violation of any provision of this section or any condition of said permit.

Please sign below stating you have read and understand the ordinance Rules and Guidelines stated above.

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Signature of Owner or Legal Representative authorized to sign on behalf of entity

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Date