

Town of Hopkinton
Outdoor Seating Guidelines
June 9, 2020

These Outdoor Seating Guidelines are developed pursuant to the Town of Hopkinton Temporary Outdoor Dining Rules and Regulations (the “Regulations”) adopted by the Select Board on June 2, 2020. The Outdoor Seating Guidelines will be in effect as long as the Regulations are effective.

The purpose of the Board’s Regulations is to allow local restaurants to establish new temporary outdoor seating on sidewalks, parking lots, on-street parking spaces or landscaped yard areas around their restaurants to provide more space for seating patrons and picking up To-Go orders. These Guidelines are intended to provide practical guidance toward meeting the associated safety and accessibility needs.

- Seating on sidewalks should accommodate pedestrians passing by. There may be ways to manage specific circumstances, such as blocking off parking spaces or walking areas to accommodate pedestrians around dining areas. Temporary barriers on the street may allow for the passage of pedestrian and wheelchair accessible traffic around the portion of sidewalks devoted to outdoor seating. The Town will work with restaurants to develop solutions.
- Prior to the use of public sidewalks or rights of way for seating, the Town will inspect the area for any defects and make repairs accordingly so everyone is safe.
- Outdoor dining areas should be distinguished from their surroundings by some form of perimeter fence or barrier. Appropriate perimeter materials may include demountable wrought-iron fences, bollards and chains, or individual planters of wood, masonry, or terra cotta. This is especially important if the dining will be located in a place where people have been accustomed to driving, or is adjacent to parking spaces and driveways. The Town recognizes that the fences/barriers may be temporary in nature and that every location is different. Restaurants should propose what is appropriate for their location.
- Restaurants may wish to consider shading/umbrellas for the comfort of customers. If tents are used, they require a building permit. Tents must have at least two sides which are open at all times.
- The outdoor dining area should be designed to retain the required egress from adjacent buildings/doorways. Egress will be reviewed by the Town prior to the issuance of a temporary outdoor dining permit.
- Outdoor dining areas must be handicap accessible.
- Trash receptacles should be integrated into the design and materials with other outdoor cafe elements.
- Restaurants using private parking areas for outdoor dining should evaluate their parking needs and avoid removing so many spaces that it results in insufficient parking for their patrons and employees. Where possible, restaurants may consider sharing parking with adjacent businesses.

- Due to the temporary nature of the Regulations and reduced occupancy loads required by emergency regulations, the seating within an outdoor dining area will not be interpreted as an increase in the number of seats serving a restaurant or eating establishment, and will not be counted towards any off-street parking requirement.

Public Health Requirements

No temporary outdoor seating will be permitted unless there is full compliance with all public health requirements including those related to the COVID-19 pandemic and food safety, regardless of whether the restaurant complies with the guidelines above.

Sector-specific State requirements:

<https://www.mass.gov/resource/reopening-sector-specific-protocols-and-best-practices>

Insurance Requirements for Outdoor Dining on Town Property

The restaurant establishment shall obtain and maintain liability insurance. The minimum amount of general liability insurance shall be in the amount of \$1,000,000 per occurrence and \$3,000,000 in the aggregate. The minimum amount of liquor liability insurance shall be \$1,000,000 per occurrence and \$3,000,000 in the aggregate.