

TOWN OF HOPKINTON
TEMPORARY OUTDOOR DINING
RULES AND REGULATIONS

ARTICLE I – GENERAL

1. In an effort to respond to the new social distancing requirements necessitated by the COVID-19 pandemic, the Select Board has adopted temporary outdoor dining regulations that will 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 their patrons and picking up To-Go orders. These rules were adopted at a regular meeting of the Select Board on June 2, 2020, and became effective as of that date. They will continue to be in effect until 45 days following the termination of the Commonwealth of Massachusetts state of emergency.
2. The Department of Public Works and the Town Engineer shall consult with the Town Manager's Office and the Health, Building, Fire, Police and Planning Departments to establish guidelines for the location, design, appearance, and accessibility of temporary outdoor seating areas; how to coordinate temporary outdoor seating areas with the flow of pedestrian or vehicle traffic and parking; and insurance requirements (the "Outdoor Seating Guidelines").
3. Alcoholic Beverages. Approval of a temporary outdoor dining area shall not be construed as an approval for the alteration or extension of premises where alcoholic beverages are served. The serving or consumption of alcohol outside of the premises of a duly licensed establishment to serve alcohol must be approved by the Select Board on a case-by-case basis.

ARTICLE II – SUBMISSION AND APPROVAL OF APPLICATIONS

1. Applications for temporary outdoor dining permits shall be submitted on a form provided by the Town and shall include a plan that complies with the Outdoor Seating Guidelines and with any applicable order of the Massachusetts Governor, Massachusetts Department of Public Health or other State agency, including any guidance for social distancing or for the operation of food services establishments (collectively the "Commonwealth Orders").
2. Completed applications shall be submitted to the Town Manager for review and approval. The Town Manager may deny an application or seek additional information from an applicant if he determines, in his discretion, that the application does not meet the Outdoor Seating Guidelines or comply with any of the Commonwealth Orders. Temporary outdoor seating permits may include conditions of approval such as daily cleaning and maintenance of the temporary outdoor seating area.
3. Where necessary, a permit may include a license to occupy and use the Town's right-of-way for the temporary outdoor seating. In such cases, the Select Board hereby waives enforcement of Section 58-1 of the Town Bylaws insofar as it would prohibit the consumption of alcohol within such temporary outdoor seating premises.

Adopted by Select Board: June 2, 2020