TO: Licensed Food Establishments and Common Victualer Liquor License Holders in the Town of Kingston
FROM: Town of Kingston Board of Heath and Board of Selectmen
RE: Temporary Seasonal Outdoor Seating Allowance

Acknowledging the current situation due to COVID-19, the Town of Kingston is proposing to allow Food Establishments to provide temporary outdoor seating in consideration of the need to reduce interior seating. The reduction of interior seating will be necessary to provide social distancing to protect your customers and your staff. These Temporary Outdoor Seating allowances will remain in effect until Massachusetts reaches Phase 4 of the reopening plan, or until such time the Town of Kingston deems appropriate.

The following criteria, based on the recommendations of Massachusetts Governor Baker and the Town of Kingston, must be met, and approved by the Town for outdoor seating prior to opening. Please make sure all the requirements listed below are explained in your application:

1. Application must be completed and submitted to the Town of Kingston.
2. The application MUST include a description of the proposed premises, as well as a sketch of the proposed outdoor seating including number of outdoor seats.
   - Seating must be 6 feet part to facilitate social distancing.
3. Provide explanation of adequate egress, in compliance with the Building Code.
4. Provide explanation to be 521CMR compliant related to accessibility.
5. If proposed outdoor seating area encroaches on exiting parking spaces, this may be acceptable provided the current required minimum number of spaces for the business can still be achieved. Provide written information on parking adjustments.
6. Letter of permission (if applicable) if the parking lot is not owned by the restaurant from the owner of the parking lot indicating permission to use it for outdoor dining.
7. With a permit from Inspections, open-sided tents are permissible.
8. Provide explanation on temporary or permanent fencing around the proposed seating area. The fencing standards are open to discussion depending on the location and public access.
9. For those licenses that serve alcohol: Any exterior seating public entry points require an employee to oversee the exit/entry point(s) to ensure no alcoholic beverages leave the area.
   - These guidelines do not preclude you from obtaining permission from the property owner in order to extend your premises.
   - Once the application is received and reviewed, you will be notified of approval or if modifications are required.
   - Currently, the Governor’s Phase II starts June 8, 2020.
• This application does not supersede future Governors orders or changes to allowances for restaurants the state or town may issue.
• Proposed outdoor seating capacity is not to exceed existing interior permitted capacity.

We understand your eagerness to re-open, and the Town will work swiftly and diligently to assist you in this process.

CHECKLIST

☐ 1. Applicant must be completed and submitted application to the Town of Kingston.

☐ 2. The application MUST include a description of the proposed premises, as well as a sketch of the proposed outdoor seating including number of seats (indoor and outdoor).
   ☐ a. Each table must be placed 6 feet apart from each other.

☐ 3. Provide explanation of adequate egress, in compliance with the Building Code.

☐ 4. Provide explanation to be 521CMR compliant. (accessibility).

☐ 5. If proposed outdoor seating area encroaching on exiting parking spaces may be acceptable provided the current required minimum number of spaces for the business can still be achieved. Provide written information on parking adjustments.

☐ 6. Letter of permission (if applicable) if the parking lot is not owned by the restaurant, submit a letter of permission from the owner of the parking lot indicating permission to use it for outdoor dining.

☐ 7. Provide explanation on temporary or permanent fencing is required around the proposed seating area. The fencing standards are open to discussion depending on the location and public access.

☐ 8. Provide explanation on temporary or permanent fencing is required around the proposed seating area. The fencing standards are open to discussion depending on the location and public access.

☐ 9. Liquor License holders must provide insurance coverage for any extension of premises.

PLEASE RETURN COMPLETE APPLICATION
TO PATRICIA TUCKER
PTUCKER@KINGSTONMASS.ORG
APPLICATION FOR TEMPORARY OUTDOOR SEATING/ALTERATION OF PREMISES

Name of Applicant________________________________________

Name of Business________________________________________

Business Address________________________________________

Applicant Email________________________________________

Applicant Phone Number__________________________________

Description/Location of Temporary Outdoor Seating Area

________________________________________________________________________

Proximity of temporary outdoor seating area to licensed business

________________________________________________________________________

Hours of Operation for temporary outdoor seating area

________________________________________________________________________

Occupancy of temporary outdoor seating area

________________________________________________________________________

Number of Tables______________ Number of Chairs______________

Do you hold a Liquor License? Yes___ No___ Seasonal/Annual ________________

Will ALCOHOL BE SERVED in the temporary outdoor seating area? Yes___ No___

If alcohol will be served in the temporary outdoor seating area, and the temporary outdoor seating area is not clearly visible from the business premise, there must be a designated employee monitoring the area at all times. AT NO TIME should an individual be allowed to leave the temporary outdoor seating area with any form of alcoholic beverage.

Will there be any form of entertainment in the temporary outdoor seating area? If yes, describe said entertainment. __________________________________________________________

________________________________________________________________________

Will there be a tent/covering: Yes______ No______

If yes, please list the below information:

Number of Tents/Coverings ____________

Dimension of Tents/Coverings ____________________________
Appropriate barriers are required around the temporary outdoor seating area. Concrete or water filled barriers are required around seating areas located in parking lot areas. Metal or plastic fence like barriers or roped stanchions may be used in temporary outdoor seating areas located away from parking lot areas.

What type of barriers will be used around the temporary outdoor seating area? Please include dimensions of barriers being used.

You must submit a sketch of the temporary outdoor seating area noting the following:

- Dimensions of temporary outdoor seating area
  - Noting locations and dimensions of all tents/coverings
- Distance between the entrance to your restaurant and the temporary outdoor seating area
- Lay out of tables and chairs
- Location of barriers
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:

---

I. **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 ________________________________________________________________ Kingston, MA acknowledge and accept the responsibilities of maintaining a clean and safe outdoor dining experience for guests and for staff in the temporary 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
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. The City has a limited number of barriers that may be used as needed to supplement owners’ plans; and
4. Provide evidence of liability insurance as directed by the City.

Rights of the Town of Kingston

The Town of Kingston reserves the right to revoke its permission to allow parking space for the following reasons:

1. The operation of the outdoor dining area is not in compliance with submitted safety protocols.
2. The operation of the outdoor dining area is negatively impacting pedestrian travel along the public sidewalk and/or public way and/or is not facilitating safe passage in accordance with Americans with Disability Act requirements.
3. The Health Agent, Chief of Police, and/or their designees determine that the operation of the parking area is negatively impacting public health and safety.

Application must have approval of the following:

<table>
<thead>
<tr>
<th>Fire Department</th>
<th>Signature</th>
<th>Date</th>
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<tbody>
<tr>
<td>Building Department</td>
<td>Signature</td>
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<td>Board of Health</td>
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<tr>
<td>Police Department</td>
<td>Signature</td>
<td>Date</td>
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<tr>
<td>Board of Selectmen</td>
<td>Signature</td>
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Safety Standards and Checklist: Restaurants

These workplace safety standards for restaurants are posted in advance of the Governor's initiation of Phase 2 to allow restaurants time to prepare to operate in compliance with these mandatory health and safety standards. Restaurants may not provide any service beyond carry-out or delivery until specifically authorized to do so in Phase 2 of the Commonwealth's Workplace Re-Opening Plan. The Governor will initiate Phase 2 of the Re-Opening Plan by formal Executive Order and only following a careful review of public health data.

Restaurants may provide outdoor table service at the commencement of Phase 2 of the Commonwealth's Reopening Plan. Restaurants will be authorized at a later date and by a subsequent Phase 2 Order to commence indoor table service if the public health data reflects continued positive progression.

Social Distancing

When indoor table service is permitted, restaurants are encouraged to structure operations to operate as much as possible through outdoor table service and to strictly limit indoor table service in order to assure effective compliance with social distancing requirements and to limit activities within confined spaces.

Restaurants must comply with the following sector specific social distancing rules for providing dining services in all customer seating areas:

- Tables must be positioned so to maintain at least a 6 foot distance from all other tables and any high foot traffic areas (e.g., routes to bathrooms, entrances, exits); tables may be positioned closer if separated by protective / non-porous barriers (e.g., structural walls or plexi-glass dividers) not less than 6 feet high installed between tables and high foot traffic areas
- The size of a party seated at a table cannot exceed 6 people
- Restaurants may not seat any customers at the bar, but subject to any applicable building and fire code requirements, bar areas may be re-configured to accommodate table seating that complies with all spacing and other requirements in these COVID-19 safety standards
- All customers must be seated; eat-in service to standing customers (e.g., around bar areas) is prohibited
- Restaurants may provide carry-out or delivery service, but all safety standards for table separation, size of party, and hygiene must be maintained for any indoor or outdoor table seating that is available to carry-out patrons
- All other amenities and areas not employed for food and beverage service (e.g., dance floors, pool tables, playgrounds, etc.) must be closed or removed to prevent gathering of customers
Ensure separation of 6 feet or more between all individuals (workers, vendors, and customers) unless this creates a safety hazard due to the nature of the work or the configuration of the workspace:

- Close or reconfigure worker common spaces and high density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow 6 feet of physical distancing; redesign work stations to ensure physical distancing (e.g., separate tables, stagger workstations on either side of processing lines so workers are not face-to-face, use distance markers to assure spacing including in the kitchen area)
- Establish directional hallways and passageways for foot traffic if possible, to minimize contact (e.g., one-way entrance and exit to the restaurant). Post clearly visible signage regarding these policies
- Prohibit lingering in common areas (e.g., waiting areas, bathrooms) and ensure social distancing in common areas by marking 6 feet spacing with tape or paint on the floor and signage
- All customer-facing workers (e.g., servers, bus staff) must minimize time spent within 6 feet of customers

Designate assigned working areas to workers where possible to limit movement throughout the restaurant and limit contact between workers (e.g., assigning zones to servers)

Stagger work schedules and staff meal and break times, regulating maximum number of people in one place and ensuring at least 6 feet of physical distancing

Minimize the use of confined spaces (e.g., elevators, vehicles) by more than one individual at a time

Require face coverings for all customers and workers at all times, except where an individual is unable to wear a face covering due to medical condition or disability

**Recommended best practices**

Improve ventilation for enclosed spaces where possible (e.g., open doors and windows)

Customers may remove face coverings while seated at tables

**Hygiene Protocols**

All workers must wash their hands frequently, and table servers must wash their hands or apply hand sanitizer between each table interaction

Ensure access to handwashing facilities on site, including soap and running water, and allow sufficient break time for workers to wash hands frequently; alcohol-based hand sanitizers with at least 60% alcohol may be used as an alternative

Alcohol-based hand sanitizers with at least 60% alcohol should be made
available at entrances, exits, and in the dining area

Supply workers at workplace location with adequate cleaning products (e.g., sanitizer, disinfecting wipes)

Post visible signage throughout the site to remind workers and customers of hygiene and safety protocols

Self-serve, unattended buffets, topping bars, drink stations, and other communal serving areas must remain closed

Condiments and similar products (e.g., salt, pepper, and salad dressing) should not be pre-set on tables and should instead only be provided upon request either in single-serving portions (e.g., individual packages or cups) or in serving containers that are sanitized between each use

Menus must be one of the following: 1) paper, single-use menus disposed after each use, 2) displayed menu (e.g., digital, whiteboard, chalkboard), 3) electronic menus viewed on customers’ phones / mobile devices

Utensils and place settings must be either single-use or sanitized after each use; utensils should be rolled or packaged. Tables should not be pre-set to reduce opportunity for exposure

Tables and chairs must be cleaned and sanitized thoroughly between each seating

**Staffing and Operations**

When possible, reservations or call ahead seating should be encouraged; managers must ensure that diners waiting for tables do not congregate in common areas or form lines

Restaurants may not provide customers with buzzers or other devices to provide alerts that seating is available or orders are ready; restaurants should instead use no-touch methods such as audio announcements, text messaging, and notices on fixed video screens or blackboards

Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission, including:

- Social distancing, hand-washing, and requirement and proper use of face coverings
- Modifying practices for serving in order to minimize time spent within 6 feet of customers
- Self-screening at home, including temperature or symptom checks
- Reinforcing that staff may not come to work if sick
- When to seek medical attention if symptoms become severe
- Which underlying health conditions may make individuals more susceptible to contracting and suffering from a severe case of the virus

Restaurant operators should establish adjusted workplace hours and shifts for
workers to minimize contact across workers and reduce congestion at entry points

Limit visitors and vendors on site; shipping and deliveries should be completed in designated areas

Workers should not appear for work if feeling ill

Restaurants must screen workers at each shift by ensuring the following:

- Worker is not experiencing any symptoms such as fever (100.3 and above), cough, shortness of breath, or sore throat;
- Worker has not had ‘close contact’ with an individual diagnosed with COVID-19. “Close contact” means living in the same household as a person who has tested positive for COVID-19, caring for a person who has tested positive for COVID-19, being within 6 feet of a person who has tested positive for COVID-19 for 15 minutes or more, or coming in direct contact with secretions (e.g., sharing utensils, being coughed on) from a person who has tested positive for COVID-19, while that person was symptomatic
- Worker has not been asked to self-isolate or quarantine by their doctor or a local public health official
- Workers who are sick or feeling ill must be sent home.

Anyone showing signs of illness may be denied entry

If the employer is notified of a positive case at the workplace, the employer should notify the local Board of Health (LBOH) where the workplace is located and work with them to trace likely contacts in the workplace and advise workers to isolate and self-quarantine

Notify workers that they may not work if they test positive for COVID-19 (they should be isolated at home) or are found to be a close contact of someone with COVID-19 (they should be quarantined at home)

Testing of other staff may be recommended consistent with guidance and / or at the request of the LBOH. Post notice to workers and customers of important health information and relevant safety measures as outlined in government guidelines

Post notice to workers and customers of important health information and relevant safety measures as outlined in the Commonwealth’s Mandatory Safety Standards for Workplace

Designate the Person in Charge (105 CMR 590) for each shift to oversee implementation of the guidelines in this document

Restaurants will be allowed to maximize outdoor dining space, including patios and parking lots where available, where municipal approval is obtained

Recommended best practices

When taking reservations and when seating walk-in customers, restaurants should retain a phone number of someone in the party for possible contact
Encourage use of technological solutions where possible to reduce person-to-person interaction (e.g., contactless payment, mobile ordering, text on arrival for seating)

Workers who are particularly high risk to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home or arrange an alternate work assignment.

Workers are strongly encouraged to self-identify symptoms or any close contact to a known or suspected COVID-19 case to the employer.

Encourage workers who test positive for COVID-19 to disclose to the employer for purposes of cleaning / disinfecting and contact tracing.

Cleaning and Disinfecting

Clean commonly touched surfaces in restrooms (e.g., toilet seats, doorknobs, stall handles, sinks, paper towel dispensers, soap dispensers) frequently and in accordance with CDC guidelines.

Keep cleaning logs that include date, time, and scope of cleaning.

Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, elevator buttons, staircases).

Implement procedures to increase cleaning / disinfecting in the back-of-house. Avoid all food contact surfaces when using disinfectants. Food contact surfaces must be cleaned and sanitized before use with a sanitizer approved for food contact surfaces. Non-food contact surfaces must be frequently cleaned.

In the event of a presumptive or actual positive COVID-19 case of a worker, patron, or vendor, the restaurant must be immediately shut down for 24 hours and then must be cleaned and disinfected in accordance with current CDC guidance before re-opening.

Checklist

SOCIAL DISTANCING

Ensure >6ft between individuals

☐ When indoor table service is permitted, restaurants are encouraged to structure operations to operate as much as possible through outdoor table service and to strictly limit indoor table service in order to assure effective compliance with social distancing requirements and to limit activities within confined spaces.

☐ Restaurants must comply with the following sector specific social distancing.
rules for providing dining services in all customer seating areas:

- Tables must be positioned so to maintain at least a 6 foot distance from all other tables and any high foot traffic areas (e.g., routes to bathrooms, entrances, exits); tables may be positioned closer if separated by protective / non-porous barriers (e.g., structural walls or plexi-glass dividers) not less than 6 feet high installed between tables and high foot traffic areas
- The size of a party seated at a table cannot exceed 6 people
- Restaurants may not seat any customers at the bar, but subject to any applicable building and fire code requirements, bar areas may be re-configured to accommodate table seating that complies with all spacing and other requirements in these COVID-19 safety standards
- All customers must be seated; eat-in service to standing customers (e.g., around bar areas) is prohibited
- Restaurants may provide carry-out or delivery service, but all safety standards for table separation, size of party, and hygiene must be maintained for any indoor or outdoor table seating that is available to carry-out patrons
- All other amenities and areas not employed for food and beverage service (e.g., dance floors, pool tables, playgrounds, etc.) must be closed or removed to prevent gathering of customers

☐ Ensure separation of 6 feet or more between all individuals (workers, vendors, and customers) unless this creates a safety hazard due to the nature of the work or the configuration of the workspace:

- Close or reconfigure worker common spaces and high density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow 6 feet of physical distancing; redesign work stations to ensure physical distancing (e.g., separate tables, stagger workstations on either side of processing lines so workers are not face-to-face, use distance markers to assure spacing including in the kitchen area)
- Establish directional hallways and passageways for foot traffic if possible, to minimize contact (e.g., one-way entrance and exit to the restaurant). Post clearly visible signage regarding these policies
- Prohibit lingering in common areas (e.g., waiting areas, bathrooms) and ensure social distancing in common areas by marking 6 feet spacing with tape or paint on the floor and signage
- All customer-facing workers (e.g., servers, bus staff) must minimize time spent within 6 feet of customers

☐ Designate assigned working areas to workers where possible to limit movement throughout the restaurant and limit contact between workers (e.g., assigning zones to servers)

☐ Stagger work schedules and staff meal and break times, regulating maximum number of people in one place and ensuring at least 6 feet of physical distancing

☐ Minimize the use of confined spaces (e.g., elevators, vehicles) by more than one individual at a time
☐ Require face coverings for all customers and workers at all times, except where an individual is unable to wear a face covering due to medical condition or disability

☐ Improve ventilation for enclosed spaces where possible (e.g., open doors and windows)

☐ Customers may remove face coverings while seated at tables

HYGIENE PROTOCOLS

Apply robust hygiene protocols

☐ All workers must wash their hands frequently, and table servers must wash their hands or apply hand sanitizer between each table interaction

☐ Ensure access to handwashing facilities on site, including soap and running water, and allow sufficient break time for workers to wash hands frequently; alcohol-based hand sanitizers with at least 60% alcohol may be used as an alternative

☐ Alcohol-based hand sanitizers with at least 60% alcohol should be made available at entrances, exits, and in the dining area

☐ Supply workers at workplace location with adequate cleaning products (e.g., sanitizer, disinfecting wipes)

☐ Post visible signage throughout the site to remind workers and customers of hygiene and safety protocols

☐ Self-serve, unattended buffets, topping bars, drink stations, and other communal serving areas must remain closed

☐ Condiments and similar products (e.g., salt, pepper, and salad dressing) should not be pre-set on tables and should instead only be provided upon request either in single-serving portions (e.g., individual packages or cups) or in serving containers that are sanitized between each use

☐ Menus must be one of the following: 1) paper, single-use menus disposed after each use, 2) displayed menu (e.g., digital, whiteboard, chalkboard), 3) electronic menus viewed on customers’ phones / mobile devices

☐ Utensils and place settings must be either single-use or sanitized after each use; utensils should be rolled or packaged. Tables should not be pre-set to reduce opportunity for exposure

☐ Tables and chairs must be cleaned and sanitized thoroughly between each seating

STAFFING & OPERATIONS
Include safety procedures in the operations

☐ When possible, reservations or call ahead seating should be encouraged; managers must ensure that diners waiting for tables do not congregate in common areas or form lines.

☐ Restaurants may not provide customers with buzzers or other devices to provide alerts that seating is available or orders are ready; restaurants should instead use no-touch methods such as audio announcements, text messaging, and notices on fixed video screens or blackboards.

☐ Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission, including:
  - Social distancing, hand-washing, and requirement and proper use of face coverings
  - Modifying practices for serving in order to minimize time spent within 6 feet of customers
  - Self-screening at home, including temperature or symptom checks
  - Reinforcing that staff may not come to work if sick
  - When to seek medical attention if symptoms become severe
  - Which underlying health conditions may make individuals more susceptible to contracting and suffering from a severe case of the virus.

☐ Restaurant operators should establish adjusted workplace hours and shifts for workers to minimize contact across workers and reduce congestion at entry points.

☐ Limit visitors and vendors on site; shipping and deliveries should be completed in designated areas.

☐ Workers should not appear for work if feeling ill.

☐ Restaurants must screen workers at each shift by ensuring the following:
  - Worker is not experiencing any symptoms such as fever (100.3 and above), cough, shortness of breath, or sore throat;
  - Worker has not had ‘close contact’ with an individual diagnosed with COVID-19. “Close contact” means living in the same household as a person who has tested positive for COVID-19, caring for a person who has tested positive for COVID-19, being within 6 feet of a person who has tested positive for COVID-19 for 15 minutes or more, or coming in direct contact with secretions (e.g., sharing utensils, being coughed on) from a person who has tested positive for COVID-19, while that person was symptomatic.
  - Worker has not been asked to self-isolate or quarantine by their doctor or a local public health official.
  - Workers who are sick or feeling ill must be sent home.

☐ Anyone showing signs of illness may be denied entry.
☐ Encourage workers who test positive for COVID-19 to disclose to the employer for purposes of cleaning / disinfecting and contact tracing. If the employer is notified of a positive case at the workplace, the employer should notify the local Board of Health (LBOH) where the workplace is located and work with them to trace likely contacts in the workplace and advise workers to isolate and self-quarantine.

☐ Notify workers that they may not work if they test positive for COVID-19 (they should be isolated at home) or are found to be a close contact of someone with COVID-19 (they should be quarantined at home).

STAFFING & OPERATIONS

Include safety procedures in the operations.

☐ Testing of other staff may be recommended consistent with guidance and / or at the request of the LBOH. Post notice to workers and customers of important health information and relevant safety measures as outlined in government guidelines.

☐ Post notice to workers and customers of important health information and relevant safety measures as outlined in the Commonwealth’s Mandatory Safety Standards for Workplace.

☐ Designate the Person in Charge (105 CMR 590) for each shift to oversee implementation of the guidelines in this document.

☐ Restaurants will be allowed to maximize outdoor dining space, including patios and parking lots where available, where municipal approval is obtained.

☐ When taking reservations and when seating walk-in customers, restaurants should retain a phone number of someone in the party for possible contact tracing.

☐ Encourage use of technological solutions where possible to reduce person-to-person interaction (e.g., contactless payment, mobile ordering, text on arrival for seating).

☐ Workers who are particularly high risk to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home or arrange an alternate work assignment.

☐ Workers are strongly encouraged to self-identify symptoms or any close contact to a known or suspected COVID-19 case to the employer.

CLEANING & DISINFECTING

Incorporate robust hygiene protocols.

☐ Clean commonly touched surfaces in restrooms (e.g., toilet seats, doorknobs, stall handles, sinks, paper towel dispensers, soap dispensers) frequently and in
accordance with CDC guidelines

☐ Keep cleaning logs that include date, time, and scope of cleaning

☐ Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, elevator buttons, staircases)

☐ Implement procedures to increase cleaning / disinfecting in the back-of-house. Avoid all food contact surfaces when using disinfectants. Food contact surfaces must be cleaned and sanitized before use with a sanitizer approved for food contact surfaces. Non-food contact surfaces must be frequently cleaned.

☐ In the event of a presumptive or actual positive COVID-19 case of a worker, patron, or vendor, the restaurant must be immediately shut down for 24 hours and then must be cleaned and disinfected in accordance with current CDC guidance before re-opening.

**Downloads**

Additional resources below, including easy print versions of the sector-specific circular and checklist.

**Additional Resources**
ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
GUIDELINES FOR EXTENSION OF PREMISES TO PATIO AND OUTDOOR AREAS

On July 28, 2015, at a public meeting, the Alcoholic Beverages Control Commission approved amendments to its “Guidelines for Extension of Premises to Patio and Outdoor Areas.” These amended guidelines supersede the previously issued Guidelines from August 22, 1989. A copy of the amended Guidelines are attached to this Advisory.

As a reminder, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts and that sale of alcoholic beverages take place only as authorized by applicable law. Questions concerning this Advisory can be directed to Ralph Sacramento, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at (617) 727-3040 x 731.

(issued August 6, 2015)
GUIDELINES FOR EXTENSION OF PREMISES TO PATIO AND OUTDOOR AREAS

1. Alcoholic beverages cannot be served outside of a licensed establishment unless and until an application to extend the licensed premises has been approved.

2. An application to extend the premises must describe the area in detail, including dimensions, seating capacity, and maximum occupancy.

3. The premises must be enclosed by a fence, rope, or other means to prevent access from a public walkway.

4. The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.

5. The applicant must have a lease or documents for the right to occupy the proposed area.

6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.

7. Preferred are outdoor areas where alcohol is served to patrons who are seated at the tables and where food is also available.

Approved July 28, 2015 (superseding August 22, 1989, Guidelines)
ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
LOCAL LICENSING AUTHORITIES’ APPROVAL OF OUTDOOR SEATING

On June 1, 2020, Governor Charlie Baker issued an Order Clarifying the Progression of the
Commonwealth’s Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening
Preparations at Phase II Workplaces, which, in part, details the process for reopening
establishments for on-premises consumption. The text of the Governor’s Order can be found
HERE.

When the Governor declares that the Commonwealth has entered Phase II of its reopening plan all
licensees for on-premises consumption of alcohol may commence outdoor table service only.
Indoor service will remain prohibited until further order from the Governor.

The Governor’s Order also grants the local licensing authorities (“LLA”) the authority to expand
alcohol licensees’ licensed premises for outdoor seating in an expedited process.

Pursuant to the Governor’s Order, on application from a licensee that serves alcohol for on-
premises consumption, the LLA may alter the description of the licensee’s licensed premises to
expand for outdoor seating that the LLA deems “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 must continue to follow the ABCC’s
guidelines issued in 2015 for the approval of outdoor seating, which can be found HERE.

ABCC approval is not required on these applications. Upon approval from the LLA the LLA may
issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all
application approvals. For further guidance on the process of approving and issuing these amended
licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective
through November 1, 2020, or until the Order is rescinded, whichever is sooner, and revert to their
original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those
that expand their licensed premises pursuant to this Order. As always, all licensees must ensure
that they comply with the laws of the Commonwealth of Massachusetts, and that sales of

1 This includes restaurants, bars, hotels, general-on-premises, clubs, war veterans’ clubs,
continuing care retirement communities, pub-brewers (M.G.L. c. 138, §§ 12 and 19D), farmer-
series pouring permits, and manufacturers’ pouring permits (M.G.L. c. 138, §§ 19(b), 19B(n),
19C(n), and 19E(o)).
alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued June 1, 2020)
ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING RESTAURANTS COMMENCING OUTDOOR TABLE SERVICE OF ALCOHOL

On June 6, 2020, Governor Charlie Baker declared that the Commonwealth had entered Phase II of its reopening plan. According to the Governor and the Executive Office of Housing and Economic Development, licensees for on-premises consumption of alcohol may commence outdoor seated service, provided food is prepared on-site under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Indoor service remains prohibited until further order from the Governor.

Please note that establishments that do not offer seated table service of food that is prepared on-site under a retail food permit are not allowed to open in Phase II.

Please refer to your Local Board for guidance on outdoor seating.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued June 7, 2020)