



Temporary Outdoor Dining FAQs

1. Does a restaurant need to submit an application or additional documentation for an already-licensed patio?
 - a. If the restaurant has a current outdoor dining permit/license and is not looking to expand, no additional application is needed. If any expansion is desired, a new application is needed.
2. Will there be a separate discussion for breweries? When can breweries open (which phase)? What restrictions are there for beer gardens?
 - a. The City is working to schedule a special meeting for breweries, including discussion about using public space, food trucks, etc. Although bars and breweries not serving food may be required to wait until Phase 4 to reopen, there has been discussion that breweries serving food qualify as restaurants and can open under Phase 2 – **needs confirmation**.
3. Will there be a separate discussion about private clubs?
 - a. There may be. It is the City's understanding that Phase 2 openings cover outdoor dining and where food is served, and that bars and private clubs that don't serve food will be addressed in a later phase.
4. What tents require permits?
 - a. All tents require permits. The Building Department must review a tent's stability, flame retardant status, etc.
5. Do popup tents have the same inspection requirements as permanent tents?
 - a. Yes
6. Are stringed lights allowed under tents? Will extension cords be permitted under certain conditions?
 - a. The City understands that lighting will be necessary and has removed the prohibition of electrical cords in the outdoor dining standards. The Building Code uses specific language about protection for preventing trips, light bulbs being shielded, etc., so extension cords and lighting can be used safely. The City will allow lighting and electric cords, but they must comply with existing safety/health standards.
7. For sidewalk seating, if tables are placed in front of restaurants, will barriers be needed? Will there be sufficient space for ADA access and sidewalk seating?
 - a. The City has discussed the need for dividers between table/restaurant space and sidewalk space. These will not necessarily be jersey barriers, but a minimum standard of divider is required to serve alcohol. Applicants should submit applications and the City will address dividers on a case-by-case basis with each applicant.
8. Will stanchions be permitted as barriers? In terms of stanchions with ropes, those were not previously acceptable to the Beverly License Board as barriers between dining space and pedestrian space. Has the City changed its stance (at least temporarily)?



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- a. The Planning Director will review and confirm the City's position on stanchions with ropes; it is our understanding that these are acceptable to the ABCC and therefore may be sufficient. Applicants should submit applications and the City will address dividers on a case-by-case basis with each applicant. Please note in your application what you will be using as barriers, and the City will review and coordinate as needed.
 - b. All current provisions should be considered a temporary adjustment (e.g. advertising on umbrellas, sandwich board signs, stanchions, etc.) The current goal now is to facilitate a quick reopening process. The City will be evaluating what should be more formal, long-term revisions to standards and requirements as the process continues, and will continue the conversation with business owners.
9. Does the outdoor dining space have to be contiguous space to the restaurant?
- a. Pursuant to the ABCC Advisory dated June 1, 2020, the service of alcohol must be contiguous to the establishment.
 - b. Any non-contiguous space must be within view of the establishment's front door and have a management staff stationed there. **The City is continuing to review what other spaces can be permitted for outdoor dining – across the street, in parking lots, and parks, etc. – and will be providing additional guidance.** The City needs to weigh the benefit of some to the impacts on other businesses in regards to closing streets and reserve parking spaces.
10. Can licensing applications and guidance be found on the Licensing Board web page?
- a. Licensing applications and guidance will all be posted on the City's Licensing Board page. For specific questions about Licensing Board applications, please contact Martha Lewis at mlewis@beverlyma.gov.
 - b. Additionally, the outdoor dining application and this FAQ, as well as any other relevant information will be posted to the City's Economic Development page: <http://www.beverlyma.gov/departments/business-economic-development-department/>.
11. Does the City have specific guidelines on the types/strengths of sanitizers that should be used?
- a. For food contact services, sanitizer in kitchens are used. The CDC has a list of approved disinfectants for hard surfaces (tables, chairs, etc.).
 - b. **Joe Reale will share the list and provide guidance from the state with Gin, Planning Dept.** This information can be added to the above webpage.
12. Regarding number 12 on the application - attestation to submission with the Division of Labor and Standards, I didn't see anywhere that the attestation was required to be submitted (nor where it would be submitted). I see that the Control Plan says that it "does not need to be submitted for approval but must be kept on premise and made available in the case of an inspection or outbreak".
- a. Salem's outdoor dining application includes an affidavit and safety standard to be signed. Beverly removed the Affidavit and Safety Protocol as required submissions to



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the City, but are instead asking applicants to affirm that you've met all state requirements of reopening. **We will confirm the actual process, relevant link, and revise the application to be clearer.**

- b. The documentation required by the state must be available for review at your restaurant.

13. Under what conditions will liability insurance be required?

- a. Liability insurance adding the City of Beverly as an additional insured will be required only if executing a license to use public property for outdoor dining.