



City of Newburyport

Application

Food Establishment Outdoor Seating On Public Property

Date: _____

Name of Business Owner: _____

Phone Number: _____ Business Name: _____

Business Address: _____

Property Owner: _____

Number of Tables Requested: _____ Dimensions: _____ Material: _____

Number of Chairs Requested: _____ Dimensions: _____ Material: _____

APPLICATION REQUIREMENTS

Please submit the following documents with the completed application to:

City Clerk's Office
Newburyport City Hall
PO Box 550
60 Pleasant Street
Newburyport, MA 01950

- 1) Applicants must provide evidence of liability insurance to the city clerk for a minimum coverage of one million dollars, naming the City of Newburyport as co-insured. This insurance coverage must be in force for the duration of the approved period.
- 2) 8 ½ x 11 sketch of outdoor seating detailing: a) measurements of tables and chairs b) total width of sidewalk and c) distance between proposed seating and sidewalk obstacles such as streetlights, signs, trees, benches, and garbage barrels.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, discharge and hold harmless, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents and servants from all actions, causes of action, claims, demands, damages, costs, loss of services, expenses and compensation associated with the undersigned's use of the public way as described herein.

Signature of Business Owner

City of Newburyport

Information

Food Establishment Outdoor

Seating on Public Property

GUIDELINES FOR OUTDOOR SEATING

- 1) A minimum of 5-feet of pedestrian clearance must be maintained on the sidewalk. Tables and chairs must maintain a minimum of 5-feet of pedestrian clearance from streetlights, signs, trees, benches, garbage barrels or other sidewalk obstacles.
- 2) Tables and chairs cannot interfere with curb ramps, driveways, fire escape and/or doorway access.
- 3) Care, custody and control of tables and chairs are the sole responsibility of the applicant.
- 4) Placement of tables and chairs on city sidewalks must conform to all federal, state and local laws and regulations, including but not limited to ADA guidelines.
- 5) Permission for outdoor seating on public property is revocable at the discretion of the City.
- 6) Applications are subject to review and approval of the city council. If approved, permission is in effect through October 31st of the approval year. Applications for outdoor seating must be renewed on an annual basis.
7. The planning office will review and comment regarding items 2 and 4 of these guidelines.