



NEW FILING _____
RENEW _____

City of Newburyport

Application

Food Establishment Outdoor Seating on Public Property

Date: _____

Name of Business Owner: _____

Name of Property Owner: _____

Business Name: _____

Business Address: _____ Business Phone: _____

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

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

Applicant requests approval of outdoor seating for the sole purpose of food consumption.

Applicant requests approval of outdoor seating for food *and* alcohol consumption.

Please note propane is not allowed unless approved by the Fire Department

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 with minimum coverage in the amount 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.

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- 2) 8 1/2 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
- 3) Obstacles such as streetlights, signs, trees, benches, and garbage barrels.
- 4) Applicants seeking approval of outdoor seating for food and alcohol consumption must also submit:
- 5) Written and dated approval of the Newburyport License Commission for the outdoor service of alcohol, including the information and sketch used for the basis of the License Commission approval.
- 6) 8 1/2 x 11 sketch of outdoor seating cited above must also include a depiction and information on the placement, dimensions, and materials used to create a demarcated area for the service of alcohol.

RELEASE AND INDEMNITY AGREEMENT TO ENCUMBER A PUBLIC WAY

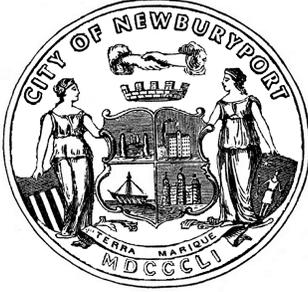
I, the undersigned Applicant or Duly Authorized Agent, hereby agree to RELEASE, DISCHARGE, and HOLD HARMLESS, the City of Newburyport, a municipal corporation of the Commonwealth of Massachusetts, and its officers, employees, agents, and servants from all actions, causes of action, claims, demands, damages,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

Signature of Business Owner

DATE

Signature of ADA Coordinator

DATE



City of Newburyport

Guidelines

Food Establishment Outdoor Seating on Public Property

- 1) A minimum of 5-feet of pedestrian clearance must be maintained on the sidewalk. Tables, chairs, and all enclosure materials used to create a demarcated area may not infringe upon this pedestrian clearance. Tables, chairs and enclosure materials must maintain a minimum of 5-feet of pedestrian clearance from streetlights, signs, trees, benches, garbage barrels, or other sidewalk obstacles.
- 2) Tables, chairs, and enclosure materials used to create a demarcated area 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) All approved tables and chairs which are chained, roped, or otherwise tethered together at the end of business hours must be untethered during business hours.
- 5) Placement of tables and chairs on the public way must conform to all federal, state, and local laws and regulations.
- 6) Permission for outdoor seating on public property is revocable at the discretion of the City of Newburyport.
- 7) Applications are subject to review and approval of the City Council. If approved, permission is in effect until the end of the approval year. Applications for outdoor seating must be renewed on an annual basis.