



## APPLICATION FOR OUTDOOR DINING (FOOD AND/OR ALCOHOL)

### 1. APPLICANT & BUSINESS INFORMATION

A. \_\_\_\_\_  
Entity (Restaurant) Name (D/B/A) Legal Name (Individual/Corporation), *IF different*

B. \_\_\_\_\_  
Restaurant **Address** Mailing Address (*IF different from restaurant*)

C. \_\_\_\_\_  
Applicant/Applicant's Contact Name **Title** (e.g. Owner, Manager, etc.)

D. \_\_\_\_\_  
**Email Address** **Phone Number**

### 2. LOCATION OF OUTDOOR AREA

A. \_\_\_\_\_  
**Outdoor Address** **Owner Name (IF different)**  
(*IF different from restaurant address*)

B. Specify the **location and number of seats** for each proposed outdoor area. *Note: Indicate 0 if none.*

Deck	Parking Lot	Patio	Sidewalk*	Other (specify):

\*Note: Outdoor dining areas on the public sidewalk require a supplemental sidewalk dining application from the Department of Public Works prior to consideration by the License Commission. The application is available here: <https://worcesterma.viewpointcloud.com/categories/1079/record-types/1006469>

### 3. DESCRIPTION OF OUTDOOR SEATING AREA(S) AND PREMISES ALTERATIONS

A. Existing Seating Capacity (Before the Temporary Outdoor Dining Program)	Existing # of <b>Seats Indoors</b> (including bar)		Existing # <b>Seats Outdoors</b> (not via the temporary program)	
B. Proposed Outdoor Capacity	Proposed # of <b>Seats Outdoors</b>		Proposed # of <b>Tables Outdoors</b>	
C. Off-street Parking Spaces (do not count street parking)	# of <b>Existing Parking Spaces</b>		# of <b>Proposed Parking Spaces</b>	

- D. While you have outdoor dining, how many seats will remain in your **indoor** dining area? \_\_\_\_\_ **seats**
- E. How many parking spaces will be **obstructed** for dining? \_\_\_\_\_ **parking spaces**

**F. Describe transportation options** for customer access (e.g. sufficiency and location of parking, including bicycles, or other access to accommodate additional customers, etc.). *Attach additional pages as necessary.*

*Note: Applicants are responsible for meeting the minimum zoning requirements for parking. Attach evidence of any lease/ownership for off-site parking being used for zoning compliance.*

**G. Provide a description of the changes proposed to the premises** licensed before the temporary outdoor dining program commenced, including each area identified above. *Attach additional pages as necessary.*

*Note: Applicants must also **attach photos and a clear diagram** of the proposed outdoor areas. The diagram **must show the following**: table locations and sizes, the number of seats per table, locations of perimeter fences, lighting, pedestrian ingress and egress points, accessible routes and seating areas, and all other physical features in the extended premises area(s). If outdoor dining is proposed within parking area(s), the diagram must also show parking spaces and circulation aisles that will remain available for parking as well as ingress and egress to the dining area and parking lot.*

*Note: tents, decks, and other such structures may require building permits from Inspectional Services. Changes that are not seasonal in nature may increase occupancy and related building code requirements.*

**H. Describe plans for accommodating patrons during inclement weather:**

**4. OPERATION FOR OUTDOOR AREA**

**A. Indicate your proposed hours of operations** for your dining area(s):

Hours of Operation	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Outdoors							
Indoors							

**B. During which months** do you intend to operate your outdoor dining? (*Indicate Yes or No for each below*):

January	February	March	April	May	June- September	October	November	December

*Note: Operation of outdoor dining outside of seasonal operations (between April and November) has additional requirements and restrictions.*

**C. Will you have any entertainment** (including stereo) in the outdoor area? (*Indicate Yes or No*):

*If yes, a separate entertainment license, or amendment to an existing license, is also required.*

The application can be found here:

<http://www.worcesterma.gov/inspections/license-commission>

**D. Nearby residences or businesses may be disturbed by noise, lighting, or other aspects of the proposed outdoor dining. Describe what elements may produce a disturbance** and how you will monitor and minimize any such disruptions.

## 5. ALCOHOL SALES AND CONSUMPTION (ON-PREMISES)

**A. Is the establishment currently licensed to serve alcohol** on-premises? (*Indicate Yes or No*):

*If no, skip to question 6. If yes, an "Alteration of Premises" application will also be required, here:*

<https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc>

**B. If yes,** describe how the establishment will manage to confine alcohol consumption to the premises:

**C. If yes,** is the outdoor dining area contiguous to your licensed premises? (*Indicate Yes or No*):

**D. If the answer to Section C is No,** describe how the establishment will manage the non-contiguous area (e.g. on the opposite side of the sidewalk):

## 6. BATHROOM FACILITIES

Number of Bathrooms inside	Are bathrooms ADA accessible?		Will outdoor area have Porta Potties?		If porta potty in outdoor area, is it ADA accessible?	
	Yes	No	Yes	No	Yes	No

## 7. APPLICANT'S CERTIFICATION

I, the authorized signatory, hereby submit this application (hereinafter the 'Application'), to the Worcester License Commission for approval. I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- 1) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions or revocation of the approval and that failure to operate the licensed premises in accordance with the rules & regulations of the License Commission and applicable governmental laws and regulations may result in sanctions, modifications, or revocation of the license, if approved.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Authorized Signatory (*please print/type*)

\_\_\_\_\_  
Title (*e.g. Property Manager, Attorney, etc.*)

## 8. ATTACH the following documents for your application to be deemed COMPLETE:

- Proof of **ownership, lease or license rights** to utilize the area(s) proposed for outdoor dining.
  - o If dining will be on the sidewalk, provide a copy of your application & permit issued by DPW (PWOD-XX)
- Photos** of the proposed outdoor area(s) and/or areas where alterations are proposed.
- A **plan** (neatly drawn diagram) of the proposed outdoor dining area(s) with an appropriate level of detail showing proposed tables (locations & sizes), chairs, locations of barriers/fences, pedestrian access points, accessible routes and seating, lighting, the existing establishment, and other physical features of the areas. If outdoor dining is proposed within parking areas, the plan must also show parking spaces and circulation aisles that will remain available for parking, as well as ingress and egress to the dining area and parking lot dimensions. At least 1 table or 5% of tables must be ADA compliant. Note: Certain proposals may require to-scale, fully dimensioned, or engineered plans. Proposals must comply with rules & regulations established by the License Commission, Zoning, Building and Fire Codes, Accessibility requirements, and all other applicable governmental laws and regulations.
- Certified Abutters List** from the Assessor's Office with the entire premises as the locus. There is a nominal fee for this list & it may take up to 10 business days to obtain. E-mail [assessing@worcesterma.gov](mailto:assessing@worcesterma.gov) fax 508-799-1021, or deliver to City Hall, 455 Main St., Rm. 203, Worcester, MA a completed form, here: <http://www.worcesterma.gov/uploads/d6/b7/d6b742df319c33db8cb3e6312459c4ca/map-abutters.pdf>
- Proof of **Insurance**, including coverage for the expanded premises for:
  - o General liability insurance
  - o Workers Compensation OR an affidavit that the establishment has no employees.
  - o Liquor Liability (if you serve alcohol)

**If you serve alcohol**, an Alteration of Premises application (separate, required to be type written) and all accompanying materials. Form is available here: <https://www.mass.gov/how-to/amend-your-alcoholic-beverages-retail-license-alteration-of-premises-or-location-change-abcc>

**9. TO SUBMIT: E-MAIL a complete application AND the above required attachments to [OutdoorDining@worcesterma.gov](mailto:OutdoorDining@worcesterma.gov) or deliver to: Inspectional Services Division c/o License Commission, 25 Meade Street, Worcester, MA 01610**

Applications *must* be complete and provide an appropriate level of detail to assure timely review and consideration. Incomplete applications will cause delays.

Applications are reviewed in the order received.

### **I've submitted my application – Now what?**

Once your application is received, staff will e-mail a confirmation of receipt.

Once your application is deemed complete, staff will process the application by circulating it to the relevant reviewers in various city departments for comment.

Staff will then schedule a hearing with the License Commission and submit a legal advertisement to provide a community notice about your proposal to run 10 business days prior to your scheduled hearing.

**Alcohol establishments** – the legal advertisement will be sent to you via e-mail, and you must mail this advertisement as the required notice to all of your direct abutters via registered mail 10 days before the hearing. You must also provide notice to abutters within 500' that are churches, hospitals, or schools via registered mail 10 days before the hearing. You must provide proof of mailing (i.e. green cards) for all of the abutters, churches, hospitals, and schools, and a signed affidavit certifying that churches, hospitals, and schools have been notified.

**Food establishments without alcohol** – staff will conduct the abutter notification for you; you must provide us with the certified abutters list and labels provided by the Assessor's Office.

Additional information may be requested by reviewers as your application circulates to additional staff to verify code compliance, confirm details, etc. Applicants must be responsive – delays in providing requested information may delay a scheduled hearing.

The applicant must be present at the scheduled public hearing of the License Commission to describe the proposal and to answer any questions.