

CITY of NEW BEDFORD

OUTDOOR CAFÉ DINING GUIDELINES

Outdoor Dining on Private Property Serving Alcohol

Establishments serving alcohol with access to private sidewalks, private parking lots, or other adjacent non-municipal land, may utilize these areas to temporarily expand their on-premise dining areas.

If you are **expanding** a previously approved outdoor dining space or creating a new space on private property you will be required to submit a Temporary Outdoor Café Permit per State regulations.

Outdoor Dining on Public Right-of-Way

The City of New Bedford maintains an Outdoor Café program for the licensing of public rights-of-way to private businesses. To aid businesses during this emergency, that program is being amended to offer the expansion onto additional public rights-of-way including sidewalks, closed streets, and on-street parking spaces where approved and considered safe. These areas shall be considered an Outdoor Café Premises and require a Temporary Outdoor Café Permit.

Temporary Modifications to Regulations

- All minimum parking requirements of the Zoning Ordinance for all commercially zoned properties are suspended. This allows businesses to expand onto parking lots without causing violation to parking requirements. Accessible parking spaces, however, must be maintained in existing parking lots;
- Local licensing authorities have been granted by the Governor the authority to expand alcohol licensees' licensed premises for outdoor seating in an expedited process.
- Establishments within the Bedford -Landing Waterfront Historic District will be provided a Certificate of Hardship and not undergo design review.

General Provisions

- The City of New Bedford is waiving the fee for the Temporary Outdoor Café Permits;
- A current Certificate of Insurance naming the City of Bedford as additional insured is required for cafes on public property;
- In an area where alcohol is served, the seating area must be separated from the pedestrian areas with a system of enclosure such as decorative fencing, planters or removable bollards;
- The outdoor café may only be used for seated dining and cannot be used for the sole purpose of drinking alcohol;
- The outdoor café area cannot be used for smoking;
- All outdoor activity must cease at the close of business or midnight, whichever is earlier or otherwise regulated by the City's Licensing Board and Massachusetts Alcoholic Beverages Control;
- All outdoor cafes must comply with all applicable federal, state and local laws and regulations, including the Americans with Disabilities Act.
- No live music shall be permitted in Existing and Expanded Premises;
- All 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;
- Outdoor cafes on or adjacent to sidewalks shall leave 4-feet of space for pedestrian movement;
- Outdoor cafés that expand into parking spaces, loading zones or streets shall establish a barrier between the café and areas of vehicular traffic.
- All tents, regardless of size, erected on the right-of-way must have the approval of the Fire Marshal. In no instance shall a tent cause permanent damage to sidewalks, pavement, street trees, or other public property.
 - Tents will not be walled on more than 50% of their sides.
 - Tents must be constructed of non-flammable materials.
 - Tents shall be taken down by café closing time unless otherwise approved to remain by the Fire Marshal.
- Use of Propane Heaters IS NOT allowed under tents.
 - Propane heaters require an inspection and a permit from New Bedford Fire Prevention.
 - Electric heaters can be used under tents, without cords posing a tripping hazard.