TOWN OF NEW CANAAN
SIDEWALK CAFÉ GUIDELINES FOR THE 2020 SEASON

On May 12, 2020 Governor Lamont issued Executive Order MM relative to outdoor dining. The Town of New Canaan wishes to promote commerce in the downtown and recognizes that outdoor dining is an amenity that promotes pedestrian traffic and highlights an attractive town center. The state has also issued several guidelines with respect to this Phase 1 reopening which must be adhered to by restaurants, retail establishments and the other uses permitted to reopen. In order to streamline and simplify the permitting process this year due to the pandemic, the Town of New Canaan has established these modified procedures and guidelines for sidewalk and café permits proposed to be wholly or partially on municipal sidewalks, streets or walkways,

For establishments that wish to provide outdoor dining solely on private property please consult with the Planning and Zoning Department for what is required to obtain the necessary approvals.

Regulations and Restrictions Provided under Executive Order No. 7MM

1. Outdoor Dining and Outdoor display of Retail Goods is permitted. Under Executive Order MM, the outdoor dining or outdoor display of goods does not have to be on a space/lot that is contiguous to the current use (eg. Restaurant or retail store). If it is on a nearby lot or a lot under separate ownership it is permitted under the Executive Order as long as written permission from the owner of the property where the outdoor dining will take place is submitted with the application.

2. The hours of operation as stipulated by Executive Order MM are as follows: Outdoor activities shall end at 9 PM or earlier Sunday through Thursday and shall end at 11 PM or earlier on Friday and Saturday nights.

3. Submit, via email to lola.sweeney@newcanaanct.gov and lynn.brooksavni@newcanaanct.gov a roughly scaled and dimensioned plan/drawing that indicates with reasonable accuracy the outdoor area that is proposed to be used and what is proposed to be placed, built or erected in the outdoor area.

4. Submit via email to lola.sweeney@newcanaanct.gov and lynn.brooksavni@newcanaanct.gov a brief narrative that explains how you will manage noise, waste management, light pollution, odor and environmental impacts expected from the use and how said impacts will be managed.

5. Complete and submit the on-line permit.

6. Sidewalk Café Permits are valid for the 2020 outdoor season for the term of Executive Order MM. Under normal circumstances the Sidewalk Café Permit would be valid through October 31.

7. Café permits shall be posted for as long as the outdoor dining is provided.
8. No permanent structure or device shall be erected or placed in, on, or about any public sidewalk; however, temporary poles, railings, or similar supports or dividers may be anchored to non-protruding fixtures in the sidewalk if approved by the Department of Public Works.

9. Any damage done to the public right-of-way by the applicant or by its patrons shall be repaired promptly by the applicant.

10. The Department of Health shall at all times have full jurisdiction concerning compliance with appropriate laws, statutes, and regulations regarding the safe handling and servicing of food and beverages and nothing contained herein shall be construed to limit or abrogate the powers of the Department of Health. Refuse receptacles shall be covered at all times.

11. Litter emanating from the sidewalk café area, and from whatever area to which it may flow, shall be collected by the permittee as often during the course of day or night as may be required to keep the sidewalk as clear of litter and debris as if the sidewalk café did not exist.

12. Sidewalks shall be swept and cleaned at the close of business each day per the Director of Environmental Health.

13. There shall be no outdoor music associated with any eating establishment that is wholly or partially on municipal property.

14. COVID-19 Signage permitted by Executive Order MM means any outdoor, non-internally-illuminated, non-animated signage that is 15 square feet in size or smaller and contains directions, social distancing instructions, or other signage that might customarily be displayed within the building, including but not limited to menus or specials.

15. Aside from individual table lighting, such as candles, there shall be no additional exterior lighting installed.

Failure to adhere to these standards may result in the revocation of the permit until such time that the violation has been corrected.

**Permit Procedures for the 2020 Season**

1. The applicant shall apply for a Café Permit from the Planning and Zoning Department on an annual basis. The permit must also be endorsed by the Director of Environmental Health, Fire Marshal and Chief Building Official.

2. The applicant shall provide a plan showing the area intended for outdoor dining, the proposed seating, the barrier fencing and the ingress and egress. See number 3 above.
3. The occupant shall provide an indemnity agreement in a form approved by the Board of Selectman, and the applicant shall also provide a Certificate of Liability Insurance covering the effective dates of the permit in the amount of $1,000,000 per occurrence, $2,000,000 aggregate. In addition, the Town of New Canaan shall be named as an additional insured.

4. The applicant shall also provide evidence of Workers Compensation Coverage.

5. In the event alcoholic beverages are to be sold, a copy of a valid and current liquor permit from the State Liquor Commission shall be presented. For the 2020 season, per Executive Order MM you are not required to obtain a patio or extension of use permit provided that you serve only the types of alcoholic liquor allowed by your permit type and you shall abide by the seven conditions outlined in Executive Order MM.

6. Under Executive Order MM, there is no fee for the 2020 season Sidewalk and Café permit.