

Regulation for Outdoor Seating for Liquor Licenses in The City of Fitchburg

12.1 The liquor license holder is responsible for obtaining all necessary approvals from any other City Department as required by law when applying for an Alteration of Premise through the License Board. The application description will include the size of the outdoor area and the number of seating available. The License Board may place restrictions on the license based on comments and recommendations of other City Departments.

12.2 The outdoor seating area must be contiguous to the main liquor establishment. There must be an unobstructed view of the outside area from the bar or a door person must be in sight of the seating area.

12.3 The size of the outdoor area must be approved by the License Commission. A minimum (4) foot unobstructed walkway for pedestrian traffic must be provided using temporary barriers.

12.4 Tents or temporary structures, either fully or partially enclosed must be approved by the License Commission. Canopies with all sides open could be allowed if approved by the Building Department and License Commission. A permanent structure added to the licensee's establishment, must have three (3) sides open and be approved by the Building Department and License Commission.

12.5 To contain the consumption of alcohol within the outdoor seating area, a system of containment must be in use. No alcohol may be consumed outside of the contained area except inside the licensed establishment.

12.6 The license for outdoor area will be seasonal from April 1st through October 31st. All tables, chairs and accessories used in the outdoor seating area must be removed between November 1st and March 31st.

12.7 The hours of use will be no earlier than 10AM and no later than 1:30 AM. These hours of use, for each establishment, maybe reviewed and amended by the License Board for any reason.

12.8 Liquor License holders who are not in compliance with this regulation could forfeit the use of outdoor seating and may have their Liquor License modified, restricted or revoked.

12.9 These regulations may be modified for individual licensees at the discretion of the Board of License Commissioners.

NOTES:

* Regulation voted unanimously on July 20, 2004 with full Board in session.

* Regulation amended by unanimous vote with full Board in session on April 19, 2006 as follows:

Item #6: Beginning date of outside seating was changed from May 1st to April 1st. Dates to remove all outside tables, chairs and accessories was changed from November 1st through April 30th to November 1st through March 31st.

Item #7: Opening hour for outside seating was changed from noon to 10AM.

* Regulation amended by unanimous vote on May 1, 2006 with 2 members present, Board consists of 3 members as follows:

Item #3: Delete the following language in the first sentence, "may be no wider than the licensee's storefront." and replace with the following language, " must be approved by the License Commission."

Item #4: Delete the following language in the first sentence, "are not allowed." And replace with the following language, "must be approved by the License Commission".