

PROPOSED SIDEWALK DINING LICENSE CONDITIONS AND AGREEMENT

- ✳ **Hours of Operation:** No outdoor sidewalk seating area shall be in use beyond 8am to 10pm daily.
- ✳ **Entertainment:** No Entertainment allowed on sidewalk seating areas.
- ✳ **Maintenance of Public Right of Way:** Restaurant owners are fully responsible for licensed area as follows:
 - Food service personnel must constantly monitor the dining area for waste paper, garbage and other trash. Placement clips, cup holders and other such devices must be utilized to prevent blowing paper.
 - A minimum of 48" but 60" preferred of sidewalk clearance must be maintained to always ensure ADA accessibility and a clear pedestrian path.
- ✳ **Sidewalk Dining Furniture and Accessories:**
 - Outdoor seating areas must be easy to assemble on site and dismantle for storage or in case of emergency hazard situations.
 - All outdoor furniture, plantings, and amenities will be of a high quality and add to the appearance and vibrancy of the public way. Areas that are determined to be in poor condition or of poor-quality materials that detract from the public way will be asked to upgrade or remove the outdoor dining area.
- ✳ **Proof of Consent by Third Parties:**
 - Restaurants with proposed outdoor sidewalk seating on private property of third parties must submit proof of consent by the third party to for such use, such as a lease or other agreement.
- ✳ **Signage and Advertising Restrictions**
 - While modest enhancement of outdoor seating areas is encouraged (e.g. with flower planters), signs and corporate logos (including that of the restaurant utilizing the outdoor dining space) may not be displayed in the outdoor seating area. No promotional signage or logos shall be allowed on any outdoor dining elements (umbrellas,enclosures, etc.).
- ✳ **Heaters:** Fire Department permit required for any proposed propane heating lamps
- ✳ **Liability:**
 - Restaurants with outdoor seating on public property must provide certificate of liability insurance naming the Town of Nantucket as an additionally insured party in the amount of \$500,000/\$1 million providing coverage during the license period.
 - Restaurants serving alcohol must provide proof that the Licensee's Liquor Liability Insurance policy covers the proposed outdoor seating area and that the Town is listed as additional insured.