

The State of Rhode Island and Providence Plantations

Town of Gloucester

EMERGENCY RESOLUTION #2020-01
RESTAURANT REOPENING AND OUTDOOR DINING EXPANSION

WHEREAS, the Town of Gloucester , on this May 21st , 2020, hereby **RESOLVES**:

WHEREAS, on March 9, 2020, Rhode Island Governor Gina M. Raimondo issued Executive Order 20-02 declaring a state of emergency due to the outbreak of COVID-19 (the "Pandemic"), and that Declaration has been extended to June 5, 2020; and

WHEREAS, pursuant to the authority vested in the Town Council under R.I.G.L. 30-15-12 & R.I.G.L. 30-15-13 as well as the Gloucester Town Charter, Sections C 1-3 & C 1-4; an Emergency Declaration was adopted by the Town of Gloucester on March 16, 2020,

WHEREAS, the Pandemic and the restrictions required to contain it have had a negative impact on businesses throughout the Town, with the restaurant and hospitality industries being severely impacted; and

WHEREAS, the State has begun a very limited reopening of some areas of the State's economic, cultural and civic life; and it is critical that the Town's economy be reopened in a phased and measured way, consistent with the need to maintain the health and safety of the public; and

WHEREAS, the Governor has authorized restaurants, bars and establishments that offer food and drink to resume on-premises consumption of food or drink in outdoor areas as of May 18, 2020, subject to compliance with state and local regulations; and

WHEREAS, it is in the best interests of the general welfare of the community to allow restaurants to temporarily expand their service areas to allow outdoor dining, provided that any such expansion complies with any applicable executive orders, regulations or directives issued by the Governor, the Rhode Island Department of Health ("RIDOH"), the Rhode Island Department of Business Regulation ("RIDBR"), or any other state agency, with the provisions of this Resolution, and with the Laws of the Town of Gloucester; and

NOW, THEREFORE, by virtue of the authority vested in the Gloucester Town Council, we do hereby order and direct the following

1. Restaurants may apply for the temporary expansion of their food service areas to permit the service and consumption of food in outdoor portions of the licensed premises on or after May 18, 2020 ("Food Expansion Applications").

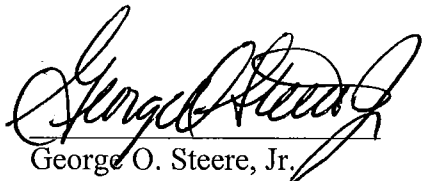
Restaurants with a current liquor license may also apply for the temporary expansion of their liquor services area on or after May 18, 2020 by filing a separate Application for Temporary Expansion of Liquor License ("Liquor Expansion Applications").

Applications may be obtained on the town's website; or by contacting the Town Clerk's Office, and may be filed, with the required information, via drop box or email. All applicable filing and inspection fees associated with such applications shall be waived.

2. All Food Service Expansion Applications and Liquor Expansion Applications shall include:
 - a. A plan showing: (1) the proposed outdoor service area; (2) the proposed number of seats (capacity may not exceed the current licensed capacity); (3) the location of physical barriers or other protection to keep diners separated from other trafficked areas; and (4) for restaurants wishing to temporarily convert a portion of off-street parking areas into service areas, a parking plan;
 - b. Evidence that the expanded service area is covered by liability insurance;
 - c. Where any portion of the proposed area of temporary expansion is owned by a separate legal entity, a written authorization from the property owner; and
 - d. Where use of a tent is proposed, approval by Fire Marshall required.
3. All temporary expansions of service areas shall make adequate provisions for parking and the physical safety of diners and shall be operated in compliance with (a) social distancing and other applicable regulations issued by RIDOH and/or RIDBR; (b) all applicable fire and police codes and (c) applicable provisions of the Americans with Disabilities Act;
4. All applications shall be immediately reviewed for compliance with the provisions of this Resolution by the Building Official, the Fire Marshal, the Police Chief, the Town Clerk and/or such other Town officials as may be designated by the Town Council. Food Service Expansion Applications may be administratively approved by the Town Clerk. Liquor Expansion Applications must be approved by the Town Council pursuant to Rhode Island General Law § 3-5-17.
5. No parking shall be allowed on State Highways, except for currently designated parking spots.
6. The hours of operation of any temporary outdoor service area approved hereunder shall be limited from 7:00 am to 10:00 pm.
7. Any temporary outdoor service area approved hereunder shall be permitted to continue only so long as consumption of food or drink in indoor portions of the restaurant is prohibited or restricted in a manner that reduces its current licensed capacity. If consumption of food or drink in indoor portions of the restaurant is allowed to resume on a limited basis, the size of the temporary outdoor service area shall be reduced as needed, so that the total number of seats indoor and outdoor, does not exceed the restaurant's current licensed capacity. At such time as consumption of food or drink in indoor portions of the restaurant

is allowed to resume without restriction, the provisions of this Executive Order, and any approval issued hereunder, shall cease. In such case, any temporary outdoor service areas approved hereunder shall be removed from the license premises within forty-eight hours.

8. The Town may take enforcement action with respect to licensing against any establishment that fails to comply with this provision of this Resolution.
9. Nothing in this Resolution shall constrain duties and powers of the Town Council or its Departments as authorized by Rhode Island General Laws and the Gloucester Code of Ordinances.



George O. Steere, Jr.
Gloucester Town Council President



Jean M. Fecteau, CMC, Town Clerk

Dated this 21st day of May, 2020



TOWN OF GLOUCESTER

LICENSE APPLICATION

Victualing

**Temporary Food Area Expansion
Per Town Council Resolution 2020-01**

Adopted 5-21-2020

Date Received

Check #:

PLEASE PRINT:

Note: Please update ALL the necessary information.

Date of Application: _____

Business Name/DBA: _____

Lot: _____ Map: _____

Corporate Name: _____

Name of Applicant: _____

Date of Birth: _____

Resident Address: _____

Mailing Address: _____

Business Phone: _____

Business Address: _____

Contact Phone: _____

Business Email: _____

Days and Hours of Operation:

Signature of Applicant: _____

Print Name: _____

Owner of Premises Signature: _____

Print Name: _____

Address of Owner: _____

Phone: _____

APPLIES TO BUSINESS ESTABLISHMENTS ONLY:

In Case of Emergency/Person to Contact

Name: _____

Address: _____

Telephone: _____

Telephone: _____

For Official Use Only

Police Chief : _____ Fire Chief: _____

Building Official: _____

At a meeting of the Gloucester Town Council, held on _____ the above stated application was

() Approved () Denied License# _____

Date Issued: _____



TOWN OF GLOUCESTER

LICENSE APPLICATION

Beverage Class B-V-Temporary Area Expansion
Title 3 of the General Laws of Rhode Island of 1956 as amended
Per Town Council Resolution 2020-01 Adopted 5-21-2020

Date Received _____
Check #: _____

PLEASE PRINT:

Note: Please update ALL the necessary information.

Date of Application: _____

Business Name/DBA: _____

Lot: _____ Map: _____

Corporate Name: _____

Name of Applicant: _____

Date of Birth: _____

Resident Address: _____

Mailing Address: _____

Business Phone: _____

Business Address: _____

Contact Phone: _____

Business Email: _____

Days and Hours of Operation:

Signature of Applicant: _____

Print Name: _____

Owner of Premises Signature: _____

Print Name: _____

Address of Owner: _____

Phone: _____

APPLIES TO BUSINESS ESTABLISHMENTS ONLY:

In Case of Emergency/Person to Contact

Name: _____

Address: _____

Telephone: _____

Telephone: _____

For Official Use Only

Police Chief : _____ Fire Chief: _____

Building Official: _____

At a meeting of the Gloucester Town Council, held on _____ the above stated application was

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