

Town of Hudson

Rules and Regulations for Sidewalk Dining

Adopted June 18, 2018, as amended July 12, 2021, and November 29, 2021

1. Definition

Sidewalk Dining - a dining experience created within a portion of the public right-of-way kept, used, maintained and held out to the public as a place for sidewalk dining, where food, beverages or other refreshments are served for consumption on the premises. Includes the placing, locating, or permitting of the placing or locating of furniture within designated areas on the right-of-way, such as sidewalks, adjacent to a business licensed to operate as an eating and/or refreshment establishment.

2. Fees

The Sidewalk Dining Application fees are payable annually to the Town of Hudson and are as follows:

One (1) to four (4) seats \$100.00, five (5) to eight (8) seats \$150.00, nine (9) or more seats \$200.00.

3. Hours of Operation

Sidewalk dining operation will be allowed between the months of April 1st and November 15th and daily between the hours of 7:00 AM and 11:00 PM. All outside dining apparatus shall be removed from the premise on or before November 15th. Outside dining apparatus includes all furniture and accessories necessary to support the function and operation of outside dining activities such as tables, chairs, umbrellas, stands, stanchions, landscaping, decorations, ropes, and cones.

4. Conditions of Approval

The Board of Selectmen shall make their determination on whether to issue a Sidewalk Dining Permit based on the following:

- a. Applicants must have a valid common victualler's license approved by the BOS.
- b. Applicants must have valid Board of Health permits.
- c. The application must be approved by the Building Commissioner, Police Chief, Fire Chief, DPW Director and the Board of Health Agent
- d. The Building Inspector, in consultation with the Hudson Downtown Business Improvement District, must approve all outside furniture, including but not limited to tables, chairs, umbrellas, host/hostess stands and barriers. Umbrellas, if used, may display the licensee's name and/or logo but must not display any other advertising, business names or logos
- e. Establishments should make every attempt to accommodate handicapped persons in their outside dining areas.
- f. A rope, chain or other similar device shall serve to delineate the permitted area
- g. As part of the permitting fee, the Town will install markers in the sidewalk that will identify the outside perimeter of the sidewalk dining area.

- h. The permitted area must be contiguous to the licensed premises.
- i. The outdoor dining area shall not infringe on a four (4) foot pathway on the sidewalk will be left unobstructed for exclusive use by pedestrians. The four (4) foot aisle must be free from obstacles such as decorative brickwork, light poles, trash receptacles, bike racks, fire hydrants, trees, sign posts, bollards, etc. An applicant requesting a permit that would leave an unobstructed aisle less than four (4) feet wide would also need further approval by the Town's ADA Coordinator.
- j. To help minimize unintentional littering within the business district, no paper or plastic plates, cups or dinnerware will be allowed in the permitted area.

5. Compliance

- a. Alcoholic beverages cannot be served in the outside dining area unless a liquor license is obtained and/or modified to include the permitted area and only after obtaining approval from the Board of Selectmen and the Alcohol Beverage Control Commission.
- b. Divider stands and all other dining furniture must remain inside the designated permitted dining area at all times.
- c. Permitted establishments are required to pick up debris, sweep and wash the designated dining area at the end each business day during the outside dining season.
- d. No smoking of any kind, including the use of electronic cigarettes, is allowed in the designated dining area.
- e. No pets are allowed in the designated dining area, with the exception of any service animals.
- f. All patrons are required to wear shirts and shoes.
- g. Businesses must use their own trash and recycling receptacles.

6. Enforcement

Violations of any of the above conditions could result in the revocation of the Sidewalk Dining Permit.