

## Applying for an Outdoor Seating and Goods License

Pursuant to City Ordinance 12-14, you must obtain a license before placing any items on or over a sidewalk or street in Somerville. Generally, a license is required for anyone who places outdoor seating, A-frame signs, planters, merchandise, cold-weather vestibules, or other goods on a public sidewalk. Installing permanent signage or awnings on a building requires a Sign and Awning License.

### TERM:

- The license expires on December 31 and is awarded for no more than one year.

### APPLICATION CONDITIONS:

- You must apply online.
- Your outdoor seating and goods should be directly in front of your storefront.
- Your application must be approved by the City Engineer.
- If you are installing a temporary cold-weather vestibule, and it is located in a historic district, your application must be approved by the Historic Preservation Commission.
- You must obtain a City and County Licenses and Permits Bond in the amount of \$5,000, or designate the City of Somerville as an Additional Insured on your business liability insurance.
- If you are a restaurant applying for outdoor seating, your toilet facilities must be sufficient for the total capacity of the indoor seating AND the outdoor seating you are seeking.
- A City and County Licenses and Permits Bond in the amount of \$5,000, or a Certificate of Insurance showing the City of Somerville as an Additional Insured on your business liability insurance.
- You must have paid all taxes, fees or fines owed to the City of Somerville.
- The license is not transferrable.

### FEE:

- \$50.00 nonrefundable application fee.
- \$165.00 annual license fee, paid after the application is approved.

### ADDITIONAL DOCUMENTS REQUIRED:

The City requires that you upload the following documents as part of your application. The City will not process your application until these documents are included:

- The Workers' Compensation Insurance Affidavit (download the form when you apply).
- A scaled site plan showing the location and dimensions of the items on the sidewalk or public way, along with any signs, trees, or other obstructions.
- A photo or rendering of the item(s) to be placed on the public way.
- If you will allow dogs in an outdoor seating area, a scaled site plan showing the location of the dog area.
- If you are installing a cold-weather vestibule, engineering drawings showing the anchoring method between the structure and the sidewalk.
- A City and County Licenses and Permits Bond in the amount of \$5,000, or a Certificate of Insurance showing the City of Somerville as an Additional Insured on your business liability insurance.

### HOW TO APPLY:

Go to <http://www.somervillema.gov/citizenserve>.

- Click on "APPLY FOR A LICENSE."
- Log in, or, if this is your first online application, click on "REGISTER NOW" to create an account.
- At License Type, select "Business License."
- At Sub Type, select "Outdoor Seating."
- Enter your Business Name.

- At “Is this application for a new or existing business location?”:
  - Select “A new business location” if this is your first application.
    - Then enter your business address, and click on “FIND ADDRESS.
    - If your address is not in Somerville, select “USE THIS ADDRESS.”
    - If your address is in Somerville, make sure you enter a valid address.
  - OR
  - Select “An additional license for an existing business” if you’ve already been licensed before.
    - At “License #” select a license you’ve received before.
- Answer the remaining questions.
- At Contacts, select a contact you’ve already entered, or, if you want the license mailed to a different address, select “Enter a new contact” and enter the mailing name and address.
- Upload the Required Documents, Accept all terms and conditions, Submit the form, and pay the required Fee.

**LICENSE CONDITIONS:**

- The Licensee agrees to use only those items described in the description and attached plan, and place all items on the sidewalk or public way in such a manner as not to obstruct pedestrian traffic and to permit an unobstructed path of travel in accordance with applicable federal and state law. The Licensee agrees to maintain a minimum clearance of 48” on the sidewalk or public way at all times.
- The Licensee agrees to remove all goods and other property from the sidewalk or public way no later than 9:00 PM, except for outdoor seating, which shall be removed at 10:00 PM, and outdoor vestibules, which may remain in place between November 15 and April 15.
- For outdoor seating:
  - a. The Licensee agrees to comply at all times with 248 CMR 10.10 (minimum toilet facilities), and hereby certifies that the Licensee has sufficient toilet facilities to accommodate the maximum indoor and outdoor seating capacity.
  - b. The Licensee agrees to install a containment system, which is satisfactory to the City, around the periphery of the outdoor seating area in order to delineate and separate the proposed use from the public sidewalk or public way.
  - c. The Licensee agrees to close all outdoor seating no later than 10:00 PM.
  - d. The Licensee acknowledges that the service of alcohol in the outdoor seating area is prohibited, and may result in criminal and/or civil sanctions, unless separately licensed by the Licensing Commission.
  - e. The Licensee agrees to the placement and regular maintenance of a trash receptacle on the sidewalk or public way in front of the business in order to minimize extra litter associated with outdoor seating.
- For outdoor seating in which dogs will accompany their owners:
  - a. Every dog must be leashed and licensed.
  - b. Establishments should provide bowls of water for the sole use of dogs.
  - c. Employees are not allowed to touch, pet, or handle dogs.
  - d. Dogs are not allowed on furniture.
  - e. Dogs are not allowed to eat from plates.
  - f. A conspicuous sign must be posted to designate the outdoor dog area.
  - g. A dog may be present in an interior corridor only if there can be no direct access to the outdoor dog area. That interior corridor shall meet the requirements of the Somerville Food Code at all times.
- For temporary cold-weather vestibules:
  - a. The vestibule may only be installed between November 15 and April 15.
  - b. The covering material of the vestibule must be fade resistant and non-combustible.
  - c. The entrance awning(s) of the vestibule shall be erected with a minimum clearance of 7 feet.
  - d. The vestibule must be ADA-compliant.
  - e. No seating, menu stands, or other items shall be placed within the vestibule.
  - f. Signage on the vestibule shall not exceed the total signage allowance for the building or business, including all permanent signage. The size, location, design, color, texture, lighting and materials of the signage must reflect the scale and character of the building.

**QUESTIONS?**

- If you have questions, contact the City Clerk at 617-625-6600 x4110 or [cityclerk@somervillema.gov](mailto:cityclerk@somervillema.gov).