



Town of Southampton
DIVISION OF FIRE PREVENTION
18 Jackson Avenue
Hampton Bays, NY 11946
Telephone 631-702-2919
Fax 631-728-3688

JOHN J. RANKIN
Chief Fire Marshal

**EMERGENCY RELIEF for TEMPORARY OUTDOOR DINING
APPROVAL FORM **NO FEE IS REQUIRED****

(This permit will become in effect once the Governor allows restaurants to re-open) (revised 6/05/2020)

Three (3) copies of this application shall be delivered to the attention of the Southampton Town Fire Marshal's Office either by mail, email, or hand delivered to 18 Jackson Avenue Hampton Bays.

NAME OF BUSINESS:

TYPE OF BUSINESS:

Street Address:

SCTM #:

Hamlet:

APPLICANT/CONTRACT VENDEE/LESSEE

Name: _____ **Firm Name:** _____

Street Address:

City: _____ **State:** _____ **Zip Code:** _____

E-MAIL: _____ **Phone:** _____

Signature of Applicant/Contract Vendee/Lessee

Signature of Property owner if different from Applicant/Contract Vendee/Lessee

By signing this application, the owner/applicant/ vendee/lessee acknowledges that this approval is temporary and does not indicate in any way permanent approvals for this operation.

False statements made therein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law.

TEMPORARY OUTDOOR DINING APPLICATION

Items that will be considered by the Fire Marshal's Office during review of Temporary Outdoor Dining Application.

- 1. Parking spaces may be used for temporary outdoor seating, up to 1/3 of the approved parking plan, without being penalized for loss of parking stalls, but there must be a physical barrier or separation to protect customers from vehicle traffic, such as bollards, Jersey-style barrier or substantial planter boxes. If outdoor seating is located in ADA parking spaces, the next closest parking spaces shall be marked and used as Handicapped Parking stalls.
- 2. Temporary outdoor seating must meet Fire Code standards, including points of egress, access to fire extinguishers, and tent and awning ratings, if applicable. Seating shall not block entrances, exits, fire lanes, hydrants, sprinkler connection points, drive aisles, back-up areas, pedestrian or handicapped access.
- 3. COVID social distancing accommodation areas, shall not be within a structure used for residential purposes and ***shall only be utilized between the hours of 8:00 AM and 10:00 PM and shall expire within 30 days of issuance. Extensions of the temporary areas will be granted based on the Governors orders and upon re-application by the establishment.***
- 4. Temporary outdoor seating areas must be maintained and free of trash and other debris and trash receptacles shall be provided. Restaurants with a liquor license must obtain approval from the New York State Liquor Authority to serve alcohol in an outdoor area. Nothing herein shall permit outdoor bars.
- 5. **If a tent or canopy is to be used, a Tent Permit application is REQUIRED. Most tent companies will complete this application for applicants.**
- 6. **ERECTION OF TENTS AND OTHER MEMBRANE STRUCTURES.** Tents and other membrane structures having an aggregate area of 200 sq./ft. and greater shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Office of Fire Prevention. (All standard fees for the erection of tents and membrane structures shall apply)
- 7. **DO NOT** block handicap/ADA routes (path from ADA parking stalls to sidewalk curb ramps to store entrances).
- 8. **DO NOT** remove existing natural areas or required buffers.
- 9. **DO NOT** block fire access lanes

TEMPORARY OUTDOOR DINING APPLICATION

Outside Agency Approvals/Permits/Considerations

NY FORWARD SAFETY PLAN. Each business or entity, including those that have been designated as essential under Empire State Development's Essential Business Guidance, must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. Information is available at the following website:

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/NYS_BusinessReopeningSafetyPlanTemplate.pdf

A business may fill out this template to fulfill the requirement, or may develop its own Safety Plan. This plan does not need to be submitted to a state agency for approval but must be retained on the premises of the business and must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.

Business owners should refer to the State's industry-specific guidance for more information on how to safely operate. For a list of regions and sectors that are authorized to re-open, as well as detailed guidance for each sector, please visit: forward.ny.gov. If your industry is not included in the posted guidance but your business has been operating as essential, please refer to ESD's Essential Business Guidance and adhere to the guidelines within this Safety Plan. Please continue to regularly check the New York Forward site for guidance that is applicable to your business or certain parts of your business functions, and consult the state and federal resources listed below.

At the link below, affirm that you have read and understand your obligation to operate in accordance with this guidance:

<https://forms.ny.gov/s3/ny-forward-affirmation>

This affirmation must be submitted with the Temporary Outdoor Dining Application

COVID-19 OUTDOOR SEATING IN FOOD ESTABLISHMENT. All outdoor seating in food establishments must comply with the May 20, 2020 Suffolk County Department of Health Services Guidance Memorandum (copy attached). **No fee required.**

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES **GREGSON H. PIGOTT, MD, MPH**
Commissioner

May 20, 2020

GUIDANCE MEMORANDUM

OUTDOOR SEATING IN FOOD ESTABLISHMENTS

The Department of Health Services regulates the number of dining seats in food establishments, the maximum allowable number of which is indicated on a facility's operating permit. Approved indoor seating may be temporarily relocated outside of the establishment without requiring a new application or review of plans, provided the total number of seats indicated on the permit is not increased. The following conditions must also be met:

- • No food preparation is permitted in exterior dining areas.

- • The facility does not undergo substantial remodeling, or make significant structural changes such as adding building square footage or modifications that affect external water supply/wastewater management infrastructure.

- • Relocation of dining seats must be compliant with all state and local codes.

- • Relocated exterior seating is subject to all COVID-19 recovery/reopening requirements, such as social distancing and capacity reductions that are issued by the New York State Department of Health or by executive order issued by the Governor.

For further information, please contact Christopher Sortino, Chief of the Bureau of Public Health Protection, at (631) 852-5999.



Public Health

BUREAU OF PUBLIC HEALTH
PROTECTION
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