DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

HOW TO GUIDE: APPLYING TO USE THE RIGHT OF WAY (ROW) FOR STOREFRONT BUSINSSES

The State of NY is now allowing both outdoor restaurant service and indoor restaurant service, with certain COVID-19 related capacity and spacing requirements. The City of Syracuse is eager to support restaurants in operating outdoors consistent with the NY Forward guidance. Restaurants located in the City can use the public ROW (i.e. sidewalks and/or streets) ***with certain permits*** described below. If you are interested in applying for one of the permits outlined below or have questions about using the ROW, please contact the City's Central Permit Office at 315-448-4754 or by email at BMoore@syrgov.net. Links to the application forms and instructions for submission can be found below.

Before You Apply: Ensure you are in compliance with NY Forward Reopening Guidelines

All restaurants that reopen **must** complete on an online form on the NY Forward website affirming their commitment to comply with COVID-19 safety requirements and create a documented safety plan. To ensure you are in compliance:

1. Read Safety Guidelines and Provide Affirmation Form: The NY Forward website includes industry-specific guidelines which must be read by all business owners. An online "affirmation" form must be submitted by each business to affirm that the business owners understand and have implemented the safety requirements. Restaurant-specific Requirements and Best Practice Summary can be found here, while the Detailed Guidelines and the link to provide Business Affirmation can be found here.

2. Develop a Business Safety Plan: All businesses (both essential and non-essential) must create a Safety Plan. Industry-specific guidance, affirmation forms, and safety plan templates are on the NY Forward website: https://forward.ny.gov/. The Food Services Industry-specific Safety Business Plan Template can be found here.

3. Monitor Operations to Ensure Safe Business Practices and Compliance: Once an eligible business reopens, it is the responsibility of the business to ensure proper safety guidelines are being followed. Further questions on NY Forward Reopening Procedures can be submitted through the New York State website here.

OTHER IMPORTANT CONSIDERATIONS WHEN APPLYING TO USE THE RIGHT OF WAY:

Space for Pedestrians:

In order to allow for proper social distancing, please note that New York State guidelines currently call for a minimum of 6 feet of unobstructed, ADA (Americans with Disability Act)-compliant concrete sidewalk space for pedestrians. In the event where there is minimal sidewalk width due to current conditions, an applicant seeking to use the Public ROW may delineate a maximum 36-inch area from the building face measured outwards towards the street. The sidewalk space beyond the 36-inch seating area must be reserved for pedestrian thoroughfare with a minimum of 6 feet of unobstructed space per NYS guidelines, however in no event may that pedestrian space be less than 48-inches per ADA requirements. In a scenario where 6 feet of pedestrian space cannot be maintained, New York State guidelines require that a barricade no less than 5 feet in height be erected between the outdoor seating and pedestrian thoroughfare. *If you are unable to meet the 6-foot minimum, please contact the City's Central Permit Office.* No business or establishment is entitled to use the Public ROW for private/exclusive use and requests may be denied, altered, or revoked at the direction of the City's Department of Public Works. For more details, please see the NY Forward Food Service Industry detailed guidelines, noted on Page 1 of this document.

State Liquor Authority Approvals:

In the midst of the COVID-19 pandemic, the New York State Liquor Authority (SLA) has revised its process to allowconsumption of alcoholic beverages in the ROW, including sidewalk expansion/alternation and partial or complete streetclosure. Please note: *In order to use the public ROW, a licensee must have approval from the City of Syracuse first*.

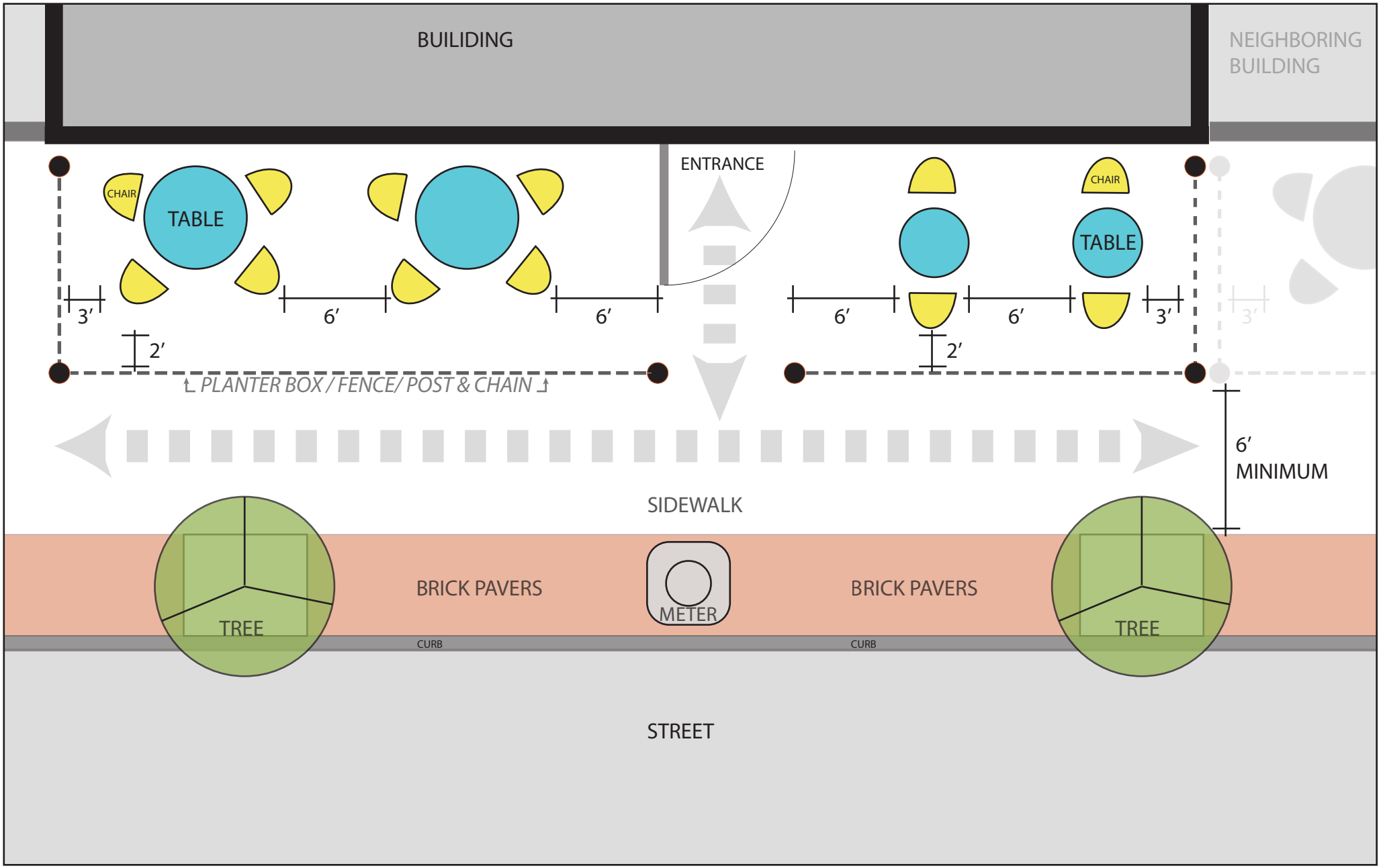
- Sidewalk Area Expansion/Alterations: For restaurants/bars seeking to extend their liquor license into any contiguous outdoor, open-air part of its existing premises over which it has control by deed, lease, management agreement, or other agreement of control, an amended diagram must be submitted to the SLA, clarifying that an existing licensee is expanding/altering the size or dimensions of their outdoor area for alcohol consumption in the sidewalk area. Once a ROW application is approved by the City, an existing licensee can begin outdoor service in the designated area immediately, however must submit an email notification of the amended outdoor area and the revised site plan to the SLA at temporaryalterations@sla.ny.gov within 5 business days of this expansion.

- Partial or Full Street Closure: For any restaurant/bar interested in expanding its food and beverage service into City-owned property that is immediately beside a licensed restaurant/bar, the City of Syracuse must apply to the SLA for an extension into the proposed area(s). Please contact the City's Department of Neighborhood and Business Development with such inquiries.

HOW CAN MY BUSINESS USE SIDEWALKS and/or CITY STREETS FOR EXPANDED SERVICE?

I WANT TO USE THIS SPACE	WHAT DO I NEED TO DO?	WHO CAN APPLY?	LINK TO APPLICATION
The sidewalks in front of my business	**Apply for a Sidewalk Café Permit.** • Application fees *for 2020 are waived!* • No need to resubmit an application form if you previously applied in 2019 or 2020 • All businesses need to submit a new sidewalk diagram showing appropriately spaced tables/pedestrian space. Refer to template diagram with dimensions • Complete ***NY State Affirmation*** (see page 1 above) • Proof of Insurance & Worker's Comp coverage needed; copy of liquor license needed (if serving alcohol) • Signed liability waiver will be required after permit issued • In the event a business would like to **extend their outdoor sidewalk café area into the adjacent property**, a signed letter of agreement must be submitted from the adjacent owner providing their permission for this use. The letter can be addressed to the Central Permit Office, and must be included with the permit submission to the City of Syracuse for review. The City may request additional revisions to site plans and/or deny the request due to safety or other concerns. Please note that the minimum pedestrian requirements outlined in this document must be maintained when using adjacent sidewalk areas for outdoor seating use.	Storefront Businesses	Application Form Here
A portion or one side of a City street near my business, or City parking lane/spaces	**Apply for a Liability Waiver.** • *Temporary* closure of a portion of a street, closure of an entire street block, or temporary use of parking lanes to create a "Parklet" • See also design ideas for parklets and other parklet information • Provide specific closure location(s), times, and activities that will take place • Liability insurance coverage must list the City as insured • Application form lists additional requirements	Storefront Businesses	Application Form Here

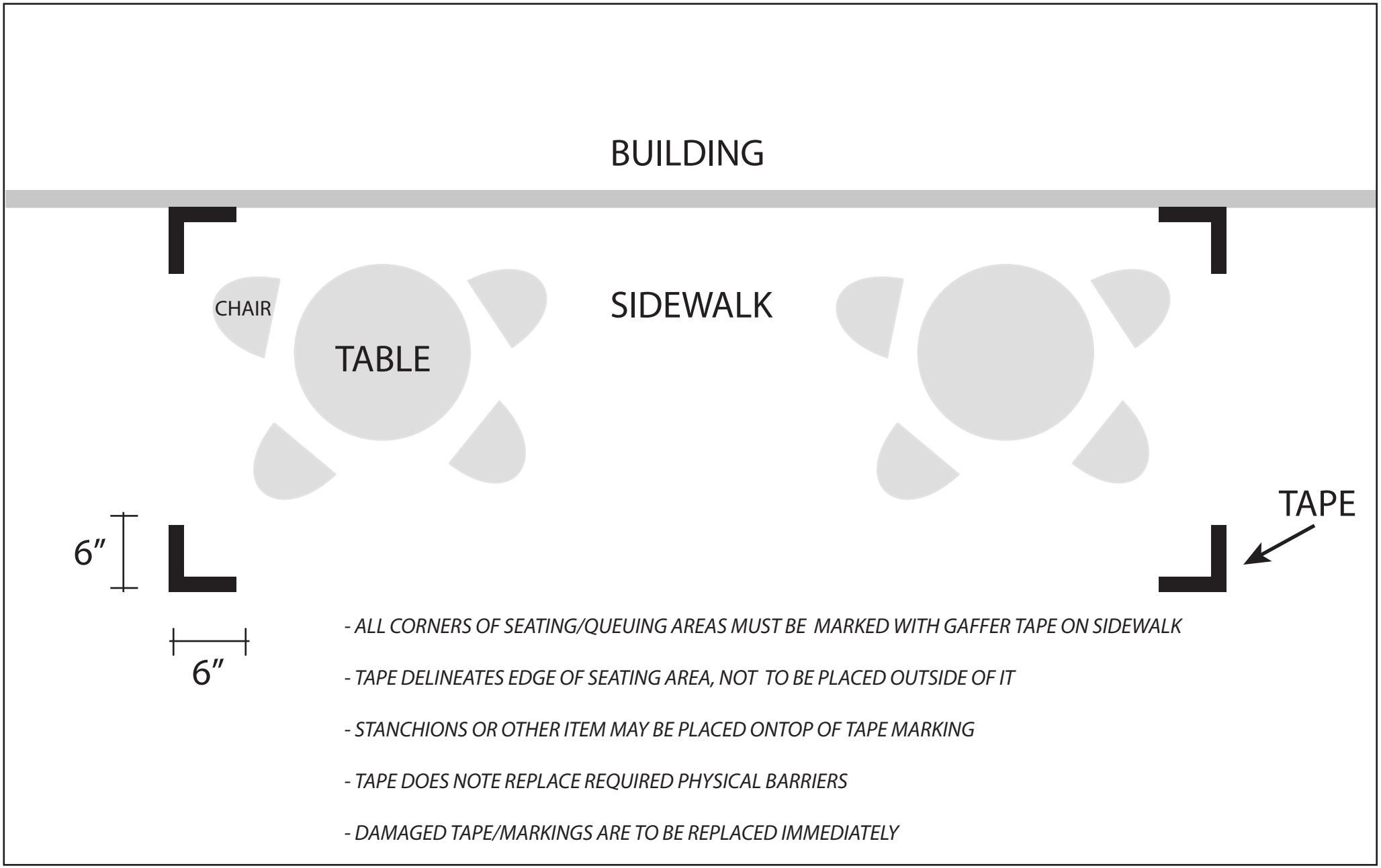
CAFE SEATING CONCEPTUAL DIAGRAM - SEATING / DISTANCING



NOT TO SCALE
CONCEPTUAL DRAWING ONLY
SITE CONDITIONS AND LAYOUT MAY VARY

MARK CORNERS OF SEATING AREA WITH GAFFER TAPE ON SIDEWALK TO DELINEATE BOUNDARY.

CAFE SEATING CONCEPTUAL DIAGRAM - MARKINGS



- *ALL CORNERS OF SEATING/QUEUING AREAS MUST BE MARKED WITH GAFFER TAPE ON SIDEWALK*
- *TAPE DELINEATES EDGE OF SEATING AREA, NOT TO BE PLACED OUTSIDE OF IT*
- *STANCHIONS OR OTHER ITEM MAY BE PLACED ONTOP OF TAPE MARKING*
- *TAPE DOES NOTE REPLACE REQUIRED PHYSICAL BARRIERS*
- *DAMAGED TAPE/MARKINGS ARE TO BE REPLACED IMMEDIATELY*

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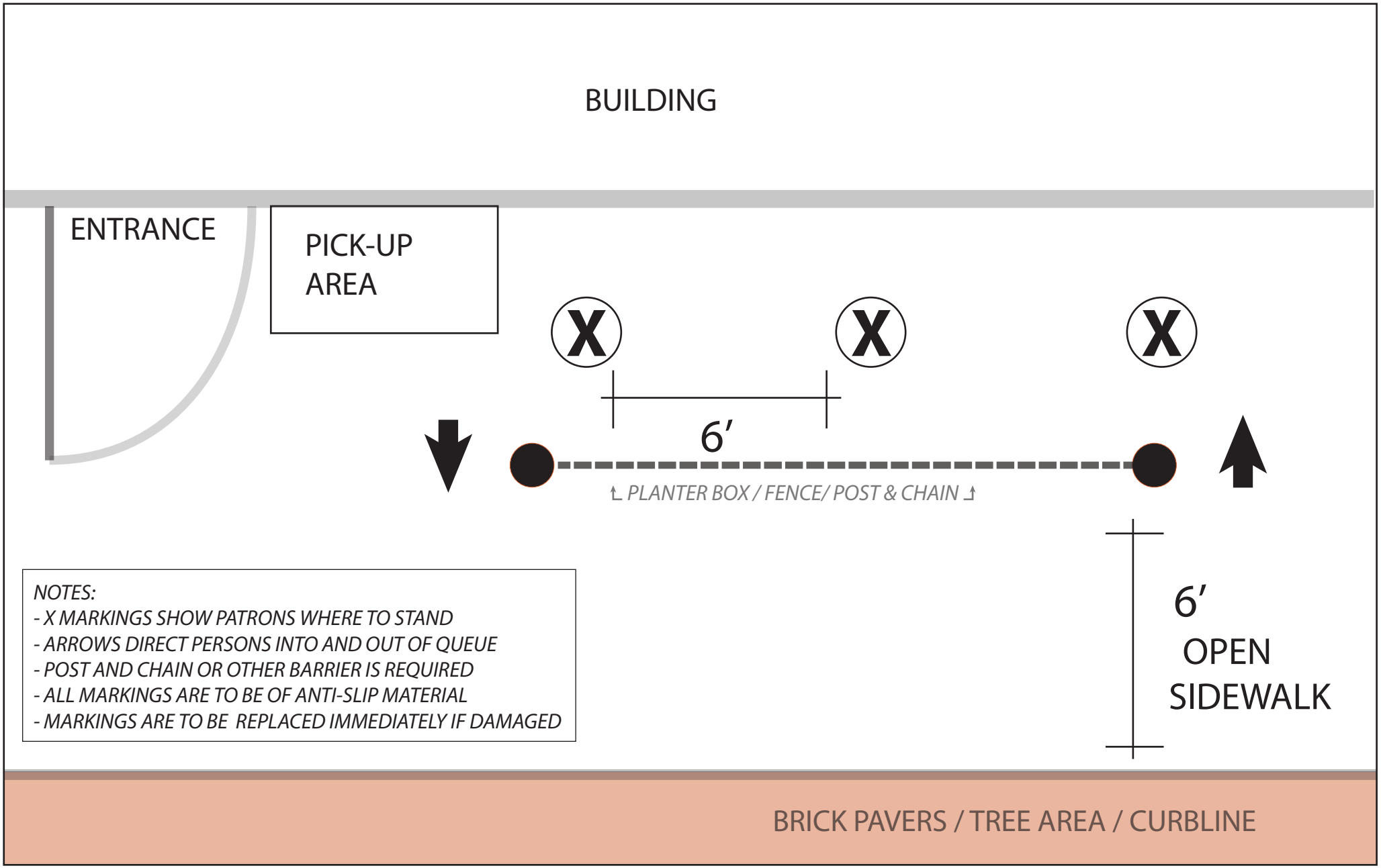
MARK CORNERS OF SEATING AREA WITH GAFFER TAPE ON SIDEWALK TO DELINEATE BOUNDARY.

CAFE SEATING CONCEPTUAL DIAGRAM - QUEUING MARKINGS



NOTES:
- *X MARKINGS SHOW PATRONS WHERE TO STAND*
- *ARROWS DIRECT PERSONS INTO AND OUT OF QUEUE*
- *POST AND CHAIN OR OTHER BARRIER IS REQUIRED*
- *ALL MARKINGS ARE TO BE OF ANTI-SLIP MATERIAL*
- *MARKINGS ARE TO BE REPLACED IMMEDIATELY IF DAMAGED*

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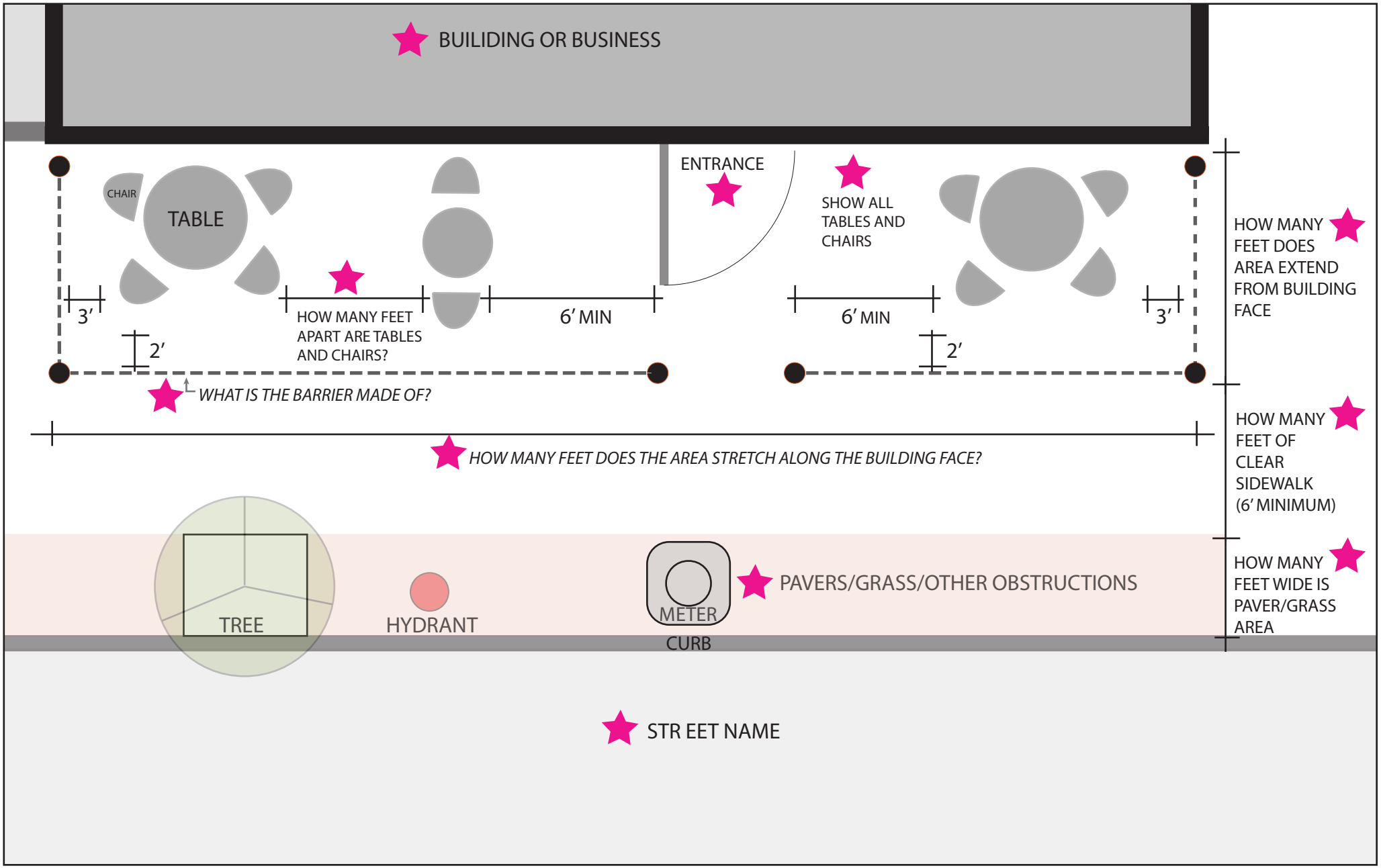
MARK CORNERS OF QUEUING AREA WITH GAFFER TAPE ON SIDEWALK TO DELINEATE BOUNDARY.

CAFE SEATING CONCEPTUAL DIAGRAM - WHAT TO INCLUDE



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MARK CORNERS OF SEATING AREA WITH GAFFER TAPE ON SIDEWALK TO DELINEATE BOUNDARY.
*GOOGLE MAPS IMAGERY MAY BE USED AS A BASEMAP.