



STEVEN CONTENTE
Town Administrator

TOWN OF BRISTOL, RHODE ISLAND
OFFICE OF TOWN ADMINISTRATOR

EXECUTIVE ORDER

20-09

May 13, 2020

Temporary Expansion of Restaurant Service Area

WHEREAS, on March 9, 2020, the State of Rhode Island Governor Gina M. Raimondo issued Executive Order 20-03 declaring a state of emergency due to the outbreak of COVID-19;

WHEREAS, a local state of emergency was originally declared on March 14, 2020, which was then superseded by emergency declarations dated March 16, 2020; April 2, 2020; April 21, 2020; and May 4, 2020;

WHEREAS, Pursuant to the emergency powers granted by the Rhode Island General Laws, and any other applicable provisions of state or local law, the Town Administrator can issue additional directives, orders, and recommendations as circumstances require; and

WHEREAS, the pandemic has adversely affected the restaurant industry; and

WHEREAS, Governor Raimondo has announced that as of May 18, restaurants may resume limited outdoor dining service, with indoor dine-in service expected to resume at a later phase of the economic reopening; and

WHEREAS, the Town of Bristol needs to take additional measures to support local restaurants;

NOW, THEREFORE, I, Steven Contente, Bristol Town Administrator, by virtue of the authority vested in said office pursuant to the Rhode Island General Laws and the Bristol Town Charter, including but not limited to Title 30, Chapter 15 of the General Laws and Bristol Town Charter § 306(g), do hereby order and direct the following:

1. Expiration dates for all existing licenses for use of sidewalks for dining, alcohol service, and other purposes by business establishments are hereby extended, and such licenses shall remain in effect until the expiration of this order or until they are set to expire, whichever is later.
2. Restaurants located in Town are authorized to temporarily expand their service areas into sidewalks and/or adjacent public or private areas, subject to the following conditions:
 - Expansion must be pursuant to and in accordance with any executive orders issued by Governor Gina Raimondo, directives of the Rhode Island Dept. of Health, Dept. of Business Regulation, or any other state agency, including without limitation all of the rules set forth in the document entitled 'Phase I Guidelines for Restaurants,' available at www.reopeningri.com
 - Expansion shall be strictly temporary and shall be permitted only so long as any executive orders, directives, and/or guidelines related to COVID-19 and social distancing are in effect. The Town reserves the right to take enforcement action with respect to licensing and/or zoning against any establishment that fails to restore the conditions of the premises to what was permitted before social distancing measures were required.
 - Expansion must be administratively approved by the Town Administrator, Building Official, Fire Chief, and Director of Public Works.
 - Before temporary expansion is authorized, the applicant shall provide proof of liability insurance from a company licensed to do business in the state and in a form satisfactory to the town solicitor, of no less

than \$1,000,000.00 protecting the town for all claims and causes of action for personal injury or property damage resulting from use of this license.

- Where expansion into an adjacent area not owned by the Town is proposed, the applicant shall provide written authorization from the landowner.
- All applicable life safety codes must be satisfied.
- Expansion shall not result in an increase in capacity beyond what is currently permitted.
- Seating/service within temporary expansion areas shall cease at sunset. This shall not apply to sidewalk seating/service areas for which the Town Council has previously granted a license to the restaurant.
- The temporary authorization to expand shall not confer any vested rights to continue such expanded use after social distancing measures are no longer in effect.
- Appeals of approved or denied temporary expansion permits can be submitted to the Bristol Town Council and will be heard at their next regularly scheduled council meeting.

3. The following provisions of the Code of Ordinances are hereby suspended/modified only in connection with a duly-authorized temporary expansion of a restaurant service area:

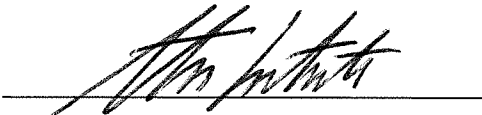
- Sec. 14-5, requiring a certificate of appropriateness from the Historic District Commission for construction, alteration, repair, removal or demolition affecting the exterior appearance of a structure or its appurtenances within the historic district or an existing structure designated to be of historic or architectural value in accordance with section 14-3;
- Sec. 17-3, prohibiting consumption of alcoholic beverages in any public area;
- Sec. 25-10, requiring a license for use of sidewalks for dining and other purposes by business establishments;
- Sec. 25-15, requiring a license for sidewalk alcohol service related to outside dining;
- Sec. 28-217 of the Zoning Ordinance, requiring a special use permit for uses existing/permitted by special use permit;
- Sec. 28-252(c), establishing minimum off-street parking requirements

4. An applicant who is denied permission to temporarily expand service area may appeal such decision to the Town Council.

5. The Police Department is authorized to enforce these regulations in accordance with state directives and the Emergency Management statute.

This executive order shall remain in effect until May 20, 2020, and may be further extended if necessary by a subsequent executive order.

So Ordered:



Steven Contente, Town Administrator