

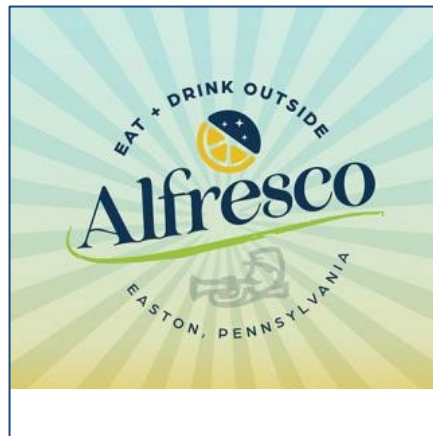


MAYOR'S OFFICE

City of Easton

2025 OUTDOOR DINING PROGRAM GUIDELINES

A Business Retention Program



Purpose:

- To assist our restaurants throughout the City by increasing capacity and strengthening the opportunity for business retention and growth following the COVID-19 pandemic.
- To emphasize the vibrancy and distinctiveness of Easton's restaurant industry.
- To promote outdoor dining and, thereby, nourish community and greater sociability.

Program Information:

The City will permit access to public, on-street parking spaces for the purpose of allowing **permitted** restaurants to use said area for extended, outdoor seating. Applicants will be limited to the parking space(s) that are directly in front of, or adjacent to, their physical location - subject to availability and approval by the City.

Operations will be allowed in the permitted areas Monday through Sunday, from 7:00 AM to 10:00 PM. The City will provide concrete barriers to delineate the permitted space and to offer protection from vehicle traffic. Authorized restaurants will need to provide any other equipment or furnishings necessary to operate their businesses outdoors (*tables, chairs, etc.*).

Permits to participate in the program are available via application and accessible through the City's OpenGov platform. **Applications will be accepted from March 17, 2025 @ 12:00pm to March 28, 2025 @ 4:30pm, with permits awarded throughout the first week in April.**

The Easton Alfresco program will begin Friday, May 2, 2024 and will conclude on Sunday, November 2, 2025.

Program Area:

The permitted area where defined spaces will be made available will include on-street, metered-parking throughout the City. Allocated spaces will be immediately adjacent or proximate to the authorized business, where available.

Please note:

- Surface parking lot spaces will not be available for this program.
- No parking spaces within the four plazas of Downtown's Centre Square will be eligible for the program.
- Other areas may be excluded, as necessary.

Spaces:

An applicant may apply for the use of up to two (2) parking spaces for outdoor dining purposes.

Fees:

There are two tiers of application fees:

- For businesses selling food and non-alcoholic beverages, an application fee of **\$3,000** is required. This tier includes **two (2) spaces** delineated by the City for the duration of the program.
- For businesses selling food and alcoholic beverages, an application fee of **\$4,000** is required. This tier includes **two (2) spaces** delineated by the City for the duration of the program.
- Because the fees are based in part on lost parking revenue, there will be a **\$1,000 discount** to applicants whose street parking spaces are unmetered.

Program Regulations and Guidelines:

General:

1. Owners and employees of permitted businesses will be required to follow any and all state and federal health guidelines related to the operation of a restaurant. **The City's Chief Health Officer will be evaluating operating conditions of permitted businesses on a continuous basis.**
2. All participating businesses in the Outdoor Dining program **must seat their patrons utilizing the designated Outdoor Dining area by 9:00 PM.**
3. Restaurant equipment, tables, and chairs cannot extend into the lanes of traffic or impede vehicle sight-lines. Additionally, any use of a sidewalk cannot impede pedestrian traffic and must adhere to ADA accessibility and compliance requirements (*use of the sidewalk for seating purposes is only made available through an Outdoor Café Application via the City's Bureau of Health*). **Any business found in violation of this regulation may have the concrete barriers removed from their designated spaces, without notice, and have its outdoor dining permit revoked.**

3. **Fire lanes and fire hydrants cannot be blocked for any reason.**
4. **All business owners will be responsible for collecting and disposing of all trash at the end of their operating hours.** Garbage must be disposed of in the business's receptacles, not in the City's public receptacles. The designated spaces and surrounding area must also be kept clean.
5. No amplified music of any type (*live or recorded*) that interferes with another business's operation or negatively impacts surrounding residents shall be permitted. **Any outdoor music must cease by 10:00 PM.**
6. **Smoking is strictly prohibited within all temporary outdoor spaces, and it is the responsibility of the business to enforce this regulation.**
7. **The City is not responsible for theft of equipment that is left in the permitted area.**
8. Each applicant must provide proof of property and liability insurance and agree that the City will be held harmless and indemnified from any claims resulting from their use of the permitted space.
 - a. All permitted businesses must provide a Certificate of Insurance naming the City as "Additional Insured".
 - b. All applicable businesses must provide verification of insurance coverage for Liquor Liability (*specifications for the insurance are provided in the application*).
9. A permitted business is expected to use their provided space. Barring inclement weather, the permitted space should be actively used and maintained. **If a permitted business leaves their space dormant for more than two (2) weeks, the associated permit will be revoked, and the space will be returned for public parking or offered to another eligible business for use.**

Barriers, Tents, and Semi-Permanent Structures:

10. **If the business intends to use a tent to provide shelter for patrons, it may not extend beyond the defined permitted space, and it must meet all local safety guidelines.** In addition, it must be properly weighted and/or tethered to prevent it from becoming airborne during high winds, however, it may NOT be anchored into the street, sidewalk, or plaza. Any damage incurred will be corrected at the business owner's expense. A business may anchor a tent into procured concrete blocks, however, there should be no street penetration in attempting to position a tent.
11. **Absolutely no cooking shall be done under a tent, even if it is fire-retardant.**
12. **Concrete barriers that are provided by the City to delineate a business's permitted area are to be treated as City property and may not be painted, drawn on, or altered in any way.** In addition, they may not be used to post marketing materials for any business other than that which is permitted to operate in the area. Businesses that choose to promote their own business on the barriers must obtain prior approval from the City and use City of Easton-based companies for any materials. One (1) concrete barrier will be designated if a business utilizes this marketing option.

13. Participants must provide appropriate décor for their permitted area. For example, planters should be placed upon and between concrete barriers (*planters should not exceed 24 inches in total height above the concrete barrier*).

- a. Any décor must allow for appropriate sightlines for both pedestrian and vehicle traffic in the area.
- b. The City reserves the right to remove any equipment, structures, or decorations provided by the business, without notice, in the interest of public safety.

14. Any heating device must be approved for the intended use by the Easton Fire Department. Propane heaters shall not be placed closer than 10 feet to an entrance/exit of any structure and never used under a non-fire rated tent or near umbrellas.

Alcohol Service:

15. If a restaurant is also a drinking establishment, it must actively deter the congregation of patrons on sidewalks and in public right-of-way. Furthermore, it is the business's responsibility to ensure that patrons are not leaving the permitted area with alcoholic beverages. The City's open container laws are to be observed at all times.

16. All applicable PA Liquor Control Board rules and regulations will apply and will be monitored by PA Liquor Control Enforcement. Violations will be grounds for revocation of an outdoor dining permit.

17. Restaurant patrons must be seated at a table to drink alcohol in the permitted area.

Businesses cited in violation of any of the regulations of this program will:

1. Upon the first citation, be provided a written warning.
2. Upon the second written violation may, depending on the nature of the infraction, result in a permit being revoked.
3. Upon receiving three written violations, the business will be permanently removed from the program.

***The City reserves the right to make changes to this program or to cancel it at any time. Changes to these guidelines will be reflected on the City's Department of Community and Economic Development website. It is the responsibility of the permitted business to monitor and observe these changes to the program.**

Any questions regarding *Easton Alfresco* can be sent to John Kingsley (jkingsley@easton-pa.gov) or Trevor Pinho (tpinho@easton-pa.gov).