



CITY OF NEW HAVEN- DEPT. PUBLIC WORKS
34 MIDDLETOWN AVENUE
NEW HAVEN, CT 06513
Telephone (203) 946-7700
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Jeffrey Pescosolido
Director

Permit & License Center - Contractors Division
200 Orange Street, Room 501
Phone: 203-946-5758 Fax: 203-946-8049

Toni N. Harp
Mayor

OUTDOOR SEATING

Ordinance Rules & Regulations



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OUTDOOR SEATING LICENSE

Summary of Required Documentation

1. Certificate of Insurance

- a. An insurance certificate indicating that the licensee has liability insurance in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate
- b. The City of New Haven shall be named an additional insured
- c. The following language shall be included on the certificate of insurance...*“The City of New Haven is named as an additional insured with respect to Outdoor Seating at _____ (street name)_____.”*
- d. Coverage must be effective from April 15 – November 15 for the year in which the license is being requested

2. Written Proposal *(provide a detailed description of the proposal including the following information)*

- a. Applicant’s name, address and phone number
- b. Proposed location of outdoor seating
- c. List the number of outdoor seats and any other amenities to be provided in the outdoor seating location
- d. Number of indoor seats currently on the premises
- e. Descriptions or pictures of furniture and other amenities

3. Detailed Sketch/Scaled Outdoor Seating Plan

- a. **New Applicants:** Must provide a plan for the outdoor seats as well as the indoor seating.
- b. Include the location of all fixed objects such as signs, trees, hydrants, etc.
(Base maps for this purpose can be obtained from the City of New Haven Engineering Department, 200 Orange Street, 5th Floor, Suite 503) Must be drawn to scale.

4. Certification Acknowledgement

- a. Review Outdoor Seating License Rules & Regulations and submit the signed certificate of acknowledgement

5. Payment

- a. Seating for 2 or less..... \$55.00
- b. Seating for 3 or 4 \$110.00
- c. Seating for 5 or more \$160.00

Outdoor Seating application must be filled out and returned with all required documentation to:
 Permit & License Center – Contractor Division
 200 Orange Street, 5th Floor, Suite 501
 New Haven, CT 06510



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OUTDOOR SEATING LICENSE

Permit & License Administrative Procedures and Regulations

Business License Application must be filled out and returned to:

Permit & License Center – Contractor Division
200 Orange Street, 5th Floor, Suite 501
New Haven, CT 06510

The applicant will provide the following:

- A letter providing a detailed written description of the proposal including name, address and phone number of applicant, the location of the proposed outdoor seating, and ' description of the number of outdoor seats and any other amenities to be provided in the outdoor seating location. Descriptions or pictures of furniture and other amenities should be provided to facilitate review of the Business License application. The applicant will also provide information on the number of indoor seats currently on the premises.
- A sketch showing a scaled outdoor seating plan for the proposal including the location of all fixed objects such as signs, trees, hydrants, etc. (Base maps for this purpose can be obtained from the City of New Haven Engineering Department, located on the 5th Floor of 200 Orange Street.)
- An insurance certificate indicating that the licensee has liability insurance in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 general aggregate. The City of New Haven must be named an additional insured on this insurance coverage and the coverage must run from April 15 – November 15 for the year in which the license is being requested.

The following regulations apply:

- In the downtown area defined as the area bounded by the south side of George Street, east side of High Street, north side of Grove Street and the east side of State Street, a minimum, seventy-two (72") inches which is equal to six (6') feet unobstructed width of the public right-of-way is required;
- Outside of the downtown area a minimum, forty-two (42") inches which is equal to four (4') feet unobstructed width of the public right-of-way is required;
- No amplified live or recorded music or other sound is prohibited in the outside seating areas;
- Outdoor seating shall be no more than twenty-five (25%) percent of initial seating capacity. Any application for seating not in accordance will require approval by the Board of Alderman;
- Addition of outdoor seating shall not cause violation of any City of New Haven or State Building Code requirements including provision of public bathroom facilities.
- All moveable chairs, tables, umbrellas and other outdoor seating-related amenities must be cleared from the public right-of-way at the close of business each day, but not later than 1:00 A.M.
- Barriers, if provided, must be thirty (30") inches minimum height and shall not be permanent.
- Tables, chairs, umbrellas, canopies, and any other objects utilized as part of the outdoor seating shall be of quality design, materials, size, elevation and workmanship both to ensure the safety and convenience of users, and to enhance the visual quality of the urban environment.



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New Haven Code of General Ordinances

Chapter 17 Licenses and Permits

Article XII. Outdoor Seating



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ARTICLE XII. - OUTDOOR SEATING

Sec. 17-12. - Reserved.

Sec. 17-12.1. - Definitions.

For the purposes of this article, the following terms shall have the following meanings:

Outdoor seating means any seating or other related obstructions within the public right-of-way.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.2. - Permit required.

Effective August 1, 2004, it shall be unlawful for any person to operate and maintain outdoor seating within the city's public right-of-way without obtaining a permit as required by this article. Outdoor seating shall comply with all requirements set forth herein. Moreover, said permit shall not be transferable in case of a change of operators.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.3. - Insurance.

Before a permit is issued, the applicant shall secure insurance naming the city as an additional insured party. The policy shall protect the city against all claims resulting from the permittee's actions and/or negligence. The permittee, his successors and assigns shall maintain the policy in full force as long as outdoor seating exists. The permittee shall be responsible for any damage caused by the outdoor seating to sidewalks or other public property. Should the operator of any establishment with outdoor seating change, the new operator shall demonstrate insurance independent of the previous operator.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.4. - Inspection.

The city shall reserve the right to inspect permitted outdoor seating at any time to ensure compliance with this article.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.5. - Regulations.

The director of public works shall develop regulations for the issuance of outdoor seating permits. The regulations may be amended from time to time subject to approval of the board of aldermen, and shall be available from the permit issuer.

(Ord. No. 1354, 6-7-04)



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Sec. 17-12.6. - Annual fee.

Before a permit may be issued under this article, the applicant shall pay to the issuer an annual fee prescribed by section 17-201 of this Code.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.7. - Renewal.

Permits shall be renewed annually. The permit issuer shall collect and maintain information from each permit applicant when permits are initially issued. In subsequent years it shall not be necessary for the applicant to provide detailed information unless there are any changes to the documentation submitted with the original permit request. If there are no changes, the applicant shall submit a written permit renewal request, an updated insurance certificate, the required permit fee and any other relevant information requested by the issuer.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.8. - Suspension, cancellation or revocation by issuer.

Outdoor seating permits shall be subject to the provisions of section 17-1.15 of this chapter regarding suspension, cancellation or revocation of permits, for cause.

(Ord. No. 1354, 6-7-04)

Sec. 17-12.9. - Penalties.

Each violation of any provision of this section shall constitute an infraction and shall be subject to the maximum fine as set forth in section 17-1.17 of this chapter.

(Ord. No. 1354, 6-7-04)

Secs. 17-13—17-33. - Reserved.