

CITY OF HOLYOKE

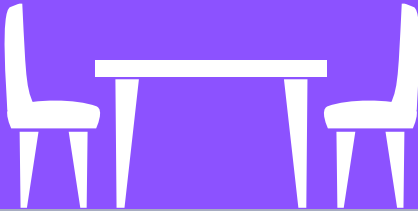
Seasonal Outdoor Dining

The city of Holyoke has seen restaurants thrive through the use of outdoor dining.

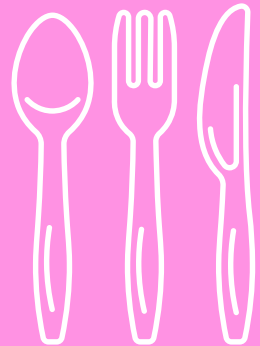
In an effort to make this process easier for you, our community, we have organized everything you may need.



Outdoor dining is a great option to enjoy nice weather and stay healthy, but there are some permits your business may need



This packet is a joint effort from your friends at City Hall



For more resources visit <https://www.holyoke.org/>

CONTACT

KNOW WHO TO TALK TO

ALL APPLICANTS NEED TO CONTACT:

License Board-

(413) 322-5599

Public Works-

(413) 322-5645

Board of Health- For All Final inspections

(413) 322-5595

For More Specific Needs:

Fire Department (outdoor heating/cooking)

(413) 534-4513

Building Department (structures/electrical)

(413) 322-5600

For broader questions

about development contact

Planning and Economic

Development:

(413) 322-5575



LICENSE BOARD

All businesses who want to conduct outdoor dining need to contact the license board and DPW



Tables and Chair Permit

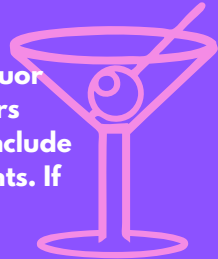
Restaurants with a food permit from the Board of Health, that seek to create an outdoor service area on public property, such as a sidewalk or parking area, will need an additional Tables and Chairs license and should contact the Holyoke License Board at 413-322-5599 or at Licenseboard@holyoke.org to set up a hearing date

Open Air Temporary License

An open air license is required for anyone who sells merchandise on a temporary, open-air basis at one location

Liquor License

Restaurants that intend to serve alcohol always need a liquor license. Those who already have a liquor license that covers indoor dining will need to amend their current license to include any proposed outdoor space per State (ABCC) requirements. If you have questions or concerns contact the License Board.



Common Victualler License

A Common Victualler's license is required for any establishment that has on its premises the ability to assemble, prepare, or cook food and has seating for the purpose of consuming that food on the premises.

for more information visit:
<https://www.holyoke.org/departments/license-board/>

City of Holyoke

Application for Table and Chairs Permits

The Undersigned respectfully petitions your honorable body for:

1. The granting of this permit shall be in accordance with Code of Ordinance Section 78-28 and the regulations for placing table and chairs on public ways approved by the License Commission. (Regulations are attached to permit)
2. I/we agree to save the City of Holyoke harmless from all claims for damage whatsoever arising from the occupation of said public ways under this permit. Certificate of Insurance shall be required in the amount of \$1000,000/\$300,000. (Please attached copy)
3. (For those who applicants that intend to serve alcohol within the outdoor premises), I understand that approval of this application by the License Commission is further subject to obtaining all other necessary State and Local Licenses/Approval.

This permit shall be available at the requested location for inspection during the time period exercised to any enforcing officer of the City.

Name of Business	Owner/Manager
Address	Telephone
Property owner	Alcohol License Holder
Applicants name (please print)	Applicants signature Date

The License Commission voted that the petition be:

Granted _____ Denied _____

Approved by the License Commission: _____

(for License Commission use only)

Health Dept. Concurrence	YES _____	NO _____
DPW Concurrence	YES _____	NO _____
Police Dept. Concurrence	YES _____	NO _____
Fire Dept. Concurrence	YES _____	NO _____

Date Permit Paid: _____

Date Permit Approved: _____

FEE: \$50.00

City of Holyoke Regulations for Placing Tables and Chairs on Public Way

A. Application

1. The applicant shall give the name of the business applying for the location of the tables and chairs, the property owner, business owner, the license holder(s) and the manager of the business and the proposed location for said tables and chairs.
2. The application shall include a plan or a detailed sketch and a photograph of the tables and chairs, signs, awnings, and any other additional physical features indicating all dimensions and locations relative to the sidewalk and existing facilities. Appropriate sidewalk access, including handicap access, shall be maintained at all times or the public and with regard to safety considerations.

B. Location Criteria

1. Pedestrian and vehicular traffic shall not be impeded or obstructed.
2. The sidewalk adjacent to the location of the proposed tables and chairs, after placement, must be at least 5 feet wide. No tables or chairs shall be placed in the street.
3. The dining area for the tables and chairs must be placed against the existing building of the applicant, i.e. contiguous to the building or in a suitable arrangement approved by the Board of Public works.
4. All outdoor dining areas, permitted under this ordinance shall be clearly delineated by a decorative border, planters, fence, or corded stanchions or other suitable means approved by the Board of Public Works.
5. Final site plan shall be approved by the Board of Public Works and provided to the License Commission prior to the issuance of the permit.

C. Size and Materials

1. Maximum width of the tables shall be 24".
2. Chairs shall be placed on each side of tables and shall not be placed on the street side of tables, which would encroach further on the sidewalk, unless an alternative suitable arrangement is approved by the Board of Public Works.
3. The permit holder shall be responsible for assuring cleanliness and removal of trash arising from the use of the permit as well as compliance with all State and local ordinances and regulations.

D. Fee and Duration

1. Annual fee \$50.00
2. The fee schedule for the location of tables and chairs shall be reviewed by the License commission on a periodic basis. All real estate property taxes, municipal fees must be current. If the permit fee or real estate property taxes and municipal fees are not paid, the permit shall not be issued. The License Commission will also receive signatures of

approval from the Director of the Board of Health, General Superintendent of the Department of Public Works, the Chief of the Holyoke Police Department, and the Chief of the Holyoke Fire Department regarding this permit application. Should any of the above named department heads recommend against granting the permit they will provide a written explanation to the License Board.

3. In accordance with Sec. 78-28, if tables or chairs are placed on the sidewalk without a permit, the Police Department shall order them removed and a fee will be assessed in the amount of \$200.00; with each day such person or establishment remains in violation constituting a separate violation. If such person fails to comply with the removal order, all such tables and chairs will be removed by the Department of Public Works.
4. Licenses are required from the Licensing Board as well as any state agencies in accordance with any and all applicable regulations for food and beverage distribution.
5. A permit shall be valid only during the year it is issued or defined as April 1 to October 31 of each year. A new application must be filed for each season. The permittee holding a permit for a particular location in subsequent seasons shall have a priority status for that location. The permittee must renew their application and file it with the License Commission between December 1 and December 31 of each year. (New permits will be reviewed on a revolving basis.) Permits are issued in accordance with the City Ordinance Sections 78-28.
6. The daily operation of said facilities by this permit shall not be allowed from 11 PM to 7 AM.
7. All fixtures and structures placed or erected within any sidewalk or street under this permit shall be removed by October 31st of each year.
8. Violation of the conditions and terms of the permit shall result in termination and forfeiture of the permit.

E. Public Notice

1. A public notice of the permit application must be posted with the City Clerk at least two weeks prior to the review of the application by the License Commission and must be published in the local newspaper at least two weeks prior to review.
2. The Ward Councilor and all abutters (property owners) within 300 feet of the property must be notified with a copy of the written public notice.
3. All costs related to the public notification requirements are the sole responsibility of the applicant.

F. Other Requirements

1. An insurance certificate in the amount of \$100,000/\$300,000 shall be required. Said certificate will name the City of Holyoke as an additionally insured. The permit holder will indemnify, and hold harmless, the City of Holyoke for all claims for damage whatsoever arising from the occupation of said public ways under this permit.
2. The above detailed permit is for licensed food establishments. Alcohol may be consumed only at licensed facilities and in conjunction with dining.
3. For those applicants that intend to serve alcohol with the outdoor premises, review and approval of the permit application by the License Commission is further subject to obtaining all other necessary State and Local Licensing Approvals.
4. The entire establishment must be in compliance with all Federal, State, and Local regulations, including but not limited to smoking.
5. All permits issued pursuant to Sections 78-28 shall be displayed on premises.

Sec. 78-28. - Tables and chairs on a sidewalk or street accessory to restaurant and or tavern.

No person shall place, erect, cause or permit to be placed or erected within any sidewalk or street any fixture or structure for use by a restaurant, tavern or other licensed food and beverage establishment unless a permit, issued by the license commission, authorizing such placing or erection, has been granted and is in effect. Any fixture, structure or property in violation of this section shall be moved at the owners' expense. Any person or establishment found to be in violation of this section shall be subject to a fine of \$200.00, with each day such person or establishment remains in violation constituting a separate violation.

(Ord. of 5-3-05 [4th amd.], § 1)



City of Holyoke

License Board

Anthony Luciano, Chair
Jose Correa
Michael Moriarty

OPEN AIR VENDOR LICENSE APPLICATION
TEMPORARY LICENSE

Please return completed application to the License Board
Fee: \$30.00 Temporary/\$100.00 Annual

Printed Applicant's Name

Doing Business As

Business Address

_____/_____
Business Phone

Email

Home Address

_____/_____
Home Phone

Cell Phone

Email _____

Items being sold: _____

If food, has a food permit been obtained from the Board of Health? _____

Dates you will be selling: _____

Times you will be selling: _____

Address/location where items will be sold: _____

If city property, has a permit from DPW been obtained? _____

Indemnification Agreement

Pursuant to Section 9 of Chapter 83 of the 1994 Acts of the Commonwealth of Massachusetts, I hereby agree on behalf of myself, my heirs, successors and assignees to provide indemnification to the City of Holyoke against any loss which may arise by the way of any suit, action or proceeding against the City of Holyoke, its officers or employees as a result of any act or failure to act on the part of the holder of this license while operating pursuant to the license within the territorial limits of the City of Holyoke.

Applicants Signature

Date

Revised December 2021



City of Holyoke

License Board

Anthony Luciano, Chair
Jose Correa, Commissioner
Michael Moriarty, Commissioner

2022 COMMON VICTUALLER LICENSE APPLICATION

To the License Commissioners for the City of Holyoke:

The undersigned requests a license to be exercised on the premises described as follows and subject to the provisions of M.G.L. Chapter 140, Section 6 of the Public Statutes.

Payment in the amount of **\$25.00** should be made payable to the City of Holyoke and mailed to:
License Board, City Hall Annex, 20 Korean Veterans Plaza, Room 401, Holyoke, MA 01040.

PLEASE PRINT CLEARLY

BUSINESS NAME: _____

D/B/A: _____

STREET NAME: _____

BUSINESS TELEPHONE NUMBER: _____

DESCRIPTION OF LOCATION: _____

IF YOU ARE A BUSINESS THAT SERVES FOOD, AND DO *NOT* HAVE A LIQUOR LICENSE, DO YOU INTEND TO OFFER A BYOB (*Bring Your Own Bottle*) POLICY? _____

MANAGER: _____

HOME TELEPHONE NUMBER: _____

SIGNATURE OF APPLICANT: _____

DATED AT HOLYOKE, MASSACHUSETTS _____, 20 _____

EMAIL: _____

****Applicant must provide Proof of Tax Compliance, Worker's Compensation Insurance, Property Title or Lease Agreement, and arrange for a Building Department Inspection prior to approval.***

<p>FOR OFFICE USE ONLY</p> <p>DATE RECEIVED:</p> <p>CHECK NUMBER:</p>
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DEPARTMENT OF PUBLIC WORKS

All businesses who want to conduct outdoor dining need to contact the license board and DPW



Will your outdoor dining plans obstruct the public way?

In the City of Holyoke, a permit is required for sidewalk occupancy.

If this is the case you will need to fill out the Application to Obstruct the Public Way



Not sure? call the DPW or visit online:
<https://www.holyoke.org/holyoke-dpw-permits/>



City of HOLYOKE
DEPARTMENT OF PUBLIC WORKS
63 CANAL STREET HOLYOKE MA. 01040
PERMIT APPLICATION

APPLICATION FOR PERMIT TO OCCUPY OR OBSTRUCT THE PUBLIC WAY

This application must be completed in its entirety prior to the time of submittal. It is the responsibility of the applicant to provide all pertinent information required herein.

Application Date: _____

Name of Applicant: _____

Applicant Address: _____

Applicant Email Address: _____

Applicant Phone #: _____

Applicant Cell Phone #: _____

Organization/Business Name: _____

Organization/Business Phone: _____

Organization/Business Address: _____

Location of Occupancy/Obstruction: _____

Street #: _____ Street Name: _____

Estimated Dates of Occupancy:

From: _____ To: _____

Reason for Occupancy/Obstruction: _____

If Other, Please Explain: _____

BOARD OF HEALTH

FOOD PERMITS

Does your business require a Food Permit?

Then don't forget that All Retail Food & Food Service Establishments Permits Renewals are due **June 30** of each year. You can call or visit the link below. Thank you.

And do not forget that it is the responsibility of the restaurant owner to ensure any expanded dining area, including streets and sidewalks, is clean at all times.

For more information visit:

<https://www.holyoke.org/departments/board-of-health/>



BUILDING DEPARTMENT



Will you be erecting any structures such as tents for your outdoor dining experience?

You will need to obtain a building permit and should contact the Building Department at 413-322-5600

**Not sure? call the Building dept or visit online:
<https://www.holyoke.org/departments/building/>**

FIRE DEPARTMENT

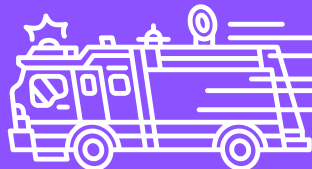
PROPANE PERMIT

Outdoor heating is a great way to make the outdoor dining experience comfortable in all conditions- however, safety is a top priority. Some heating methods may require a Propane Permit. If you have any questions please contact the Fire Department.

As a reminder, **open flame fire pits are not permitted in Holyoke**. Grills, cooking, or heating appliances are not permitted within 20 feet of the tent structure per IFC Section 3104.7. Heating devices may be used in well-ventilated areas away from combustible materials. Exposed flame devices are not permitted inside or within 20 feet of a tent. Vent or flue devices are allowed in Massachusetts.



LPG fuel storage within buildings must be limited in accordance with 527 CMR 1: Table 60.4.2.1.1.3. Outdoor storage areas must comply with 527 CMR 1: Chapter 60, 66, 69 as applicable.



For more information visit:

<https://www.holyoke.org/fire-permits-forms/>



CITY OF HOLYOKE
FIRE DEPARTMENT HEADQUARTERS

JEFFREY PRZEKOPOWSKI
CHIEF OF THE DEPARTMENT

APPLICATION FOR PERMIT

Date _____ Return to _____

(fax# or email)

In accordance with the provisions of 527 CMR 1.00 Sect. 1.12.8, application is hereby made

By _____
(Full name of person, Firm or Corporation)

Address _____
(Street or PPO Box) (City/Town)

For Permission to (state clearly the purpose for which permit is requested) _____

For Municipal Boxes call Alarm Div. at (413) 534-4513 *24 Hours Advance*

At (Location) _____

Name of Competent Person (if applicable) _____

License or Certification # _____ Contact Phone # _____

Signature of Applicant _____



CITY OF HOLYOKE
FIRE DEPARTMENT HEADQUARTERS

JEFFREY PRZEKOPOWSKI
CHIEF OF THE DEPARTMENT

PERMIT

Date Issued _____ Permit # _____

In accordance with the provisions of 527 CMR 1.00 Sect. 1.12.8, this permit is hereby granted

To _____

For Permission to _____

Restrictions _____

At _____

This Permit Will Expire on _____ Fee\$ _____

Signature of Inspector _____ Title _____

➡ **This Permit must be conspicuously posted upon the premises** ⬅

600 HIGH STREET - HOLYOKE, MASSACHUSETTS 01040
PHONE: (413) 534-2254 - FAX: (413) 534-2258
EMAIL: FIREPREVENTION@HOLYOKE.ORG