



**Town of Southampton**  
**DIVISION OF FIRE PREVENTION**  
18 Jackson Avenue  
Hampton Bays, NY 11946  
Telephone 631-702-2919  
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**JOHN J. RANKIN**  
Chief Fire Marshal

June 8, 2020

**EMERGENCY RELIEF for TEMPORARY OUTDOOR DINING APPROVAL  
FORM GUIDANCE  
NO FEE IS REQUIRED**

**(These Temporary Outdoor Dining Approvals will become effective once the Governor allows  
restaurants to re-open for outdoor dining in Phase-II)**

As part of the Temporary Outdoor Dining application, you must submit a plan showing where the proposed seating would be located on the property along with the diagram depicting the proposed outdoor seating to the Fire Marshal's Office. The plan needs to comply with the May 20, 2020 Department of Health Services Outdoor Seating Guidance Memorandum. The proposed Temporary Outdoor Dining shall not exceed the number of seats approved by the Department of Health Services, as indicated on your Health Department permit and/or the number of occupants permitted by the NYS Fire Code. The Plan must also address the following:

1. Only existing Public Assemblies with **VALID** public assembly permits, restaurants, and approved food establishments with a valid certificate of occupancy will be considered for temporary outdoor dining.
2. A floor plan of the proposed layout shall be submitted with the written narrative plan. The temporary dining area as designated shall be separated or protected for the safety of the patrons.
3. The proposed temporary dining location, where established in a parking lot, shall not occupy more than 1/3 of the approved parking spaces. Where the temporary dining area occupies handicapped parking spaces, those spaces shall be re-established with the next closest spaces. These spaces shall be marked and identified as handicapped parking with signage. Emergency vehicle access to the establishment must be kept open and unobstructed at all times. Driveways shall not be blocked off to facilitate seating.
4. Outdoor dining permits will not be issued until such time as it is permitted by the Governor.
5. Strict adherence to the CDC guidance and recommendations for public and essential businesses as well as state, county and local jurisdictions.
6. Separation of tables for social distancing to attain a minimum 6-foot separation between chairs with patrons occupying them.
7. Face masks and hand sanitizer should be used and provided in accordance with State guidelines.
8. It is recommended that reservations be made by patrons to determine the size of the party, and if there may be or has been a recent sickness or contamination of any of the patrons.
9. Sanitizing of all surfaces, including but not limited to, door handles and countertops shall be accomplished on a continuous basis. Tables, chairs, bar tops and other flat surfaces shall be sanitized between patron reservation seating. A sufficient amount of time must be allotted between reservations to accomplish this. A mild bleach solution may be used to accomplish this task.
10. Soap shall be supplied at all handwashing stations for patrons and staff.

11. Employees shall be screened prior to their shift and a log shall be maintained. If employees are ill in any way they should not be reporting for work. The same would go if the employee was exposed to or suspected to have been exposed to COVID-19.
12. **TENTS**- all tents 200 sq. feet or larger shall require a permit from the Fire Marshal's office.
  - A. Tents shall be secured with tent stakes. Any other method of securing shall require a signed & sealed letter from a licensed Engineer describing in detail the method of securing to be used. The letter shall be submitted to the Fire Marshal's office prior to erecting the tent.
  - B. Tents for Temp Outdoor Dining shall not be permitted to have any sidewalls.
  - C. Tents shall have illuminated exit signs and emergency lighting.
  - D. No Smoking signs shall be posted in conspicuous locations.
  - E. Tents shall comply with all NYS Code requirements.
13. Information with respect to the business conducted by the applicant sufficient to show that the applicant is eligible for a permit shall be submitted. Information includes a copy of the certificate of occupancy showing that the occupancy is a standard restaurant; a copy of the Suffolk County Health Department food establishment permit listing the maximum seating capacity; a copy of the New York State Liquor Authority license including a copy of the site plan submitted for their approval. Note: *a licensed premise "must" file and receive approval from the SLA when they extend the physical area of the establishment. This is done through an application form which includes plans to be submitted to New York State Liquor Authority.* (The New York State Liquor Authority has indicated that they will fast track any application made to them for the purpose of Temporary Outdoor Dining).

This Temporary Outdoor Dining Approval is approved for 30 days or until lifted by the progressive Opening Phases as defined by the Governors Opening plans. This approval may be extended if it is deemed necessary.

**All conditions of the current site plan approvals on file shall remain in effect. This temporary approval does not vest any rights to outdoor seating beyond the period specified herein.**

Three (3) copies of the application, plans and materials are to be submitted to the Town of Southampton Division of Fire Prevention for review and approval **prior opening**. A site inspection by the Fire Marshal will be required prior to opening to assure compliance with the proposed plan. Should you have any questions or concerns please contact the Fire Marshal's Office at the number or email below.

We look forward to assisting you and working together to assure a safe season for all.

Sincerely,

**John J. Rankin**  
**Chief Fire Marshal**  
**firemarshal@southamptontownny.gov**  
**(631) 702-2919**