



INSTRUCTIONS

TOWN OF EAST HAMPTON APPLICATION FOR TEMPORARY OUTDOOR DINING ACCOMMODATIONS RESTAURANTS AND TAKE-OUT FOOD STORES

This packet is to assist existing restaurants and take-out food stores in the Town of East Hampton who have been authorized by the Governor of the State of New York to re-open, but do not have the indoor area or facilities to accommodate COVID-19 social distancing requirements or are not yet permitted to do so pursuant to the Governor's Executive Orders, and wish to temporarily use existing outdoor areas or the Town of East Hampton's right-of-way, where applicable.

PLEASE READ CAREFULLY

This packet contains the forms for many different situations that may or may not apply to your business. If you have any questions, please contact NancyLynn Thiele at nthiele@ehamptonny.gov.

Restaurant or Take-Out Food Store that DOES NOT SERVE ALCOHOL:

- Complete the Town of East Hampton Application for Temporary Outdoor Dining Accommodations checking the correct box indicating whether you will be using other areas of your own property, other areas of private adjoining property, or municipal property.
- Upon receipt of your permit, operate the business in accordance with the approved (not submitted, if different) plan, and the guidelines in the application.

Restaurant or Take-Out Food Store that DOES SERVE ALCOHOL:

A. Using own property:

- Complete the Town of East Hampton Application for Temporary Outdoor Dining Accommodations checking the correct box indicating whether you will be using other areas of your own property.
- Upon receipt of your permit/approval letter, operate the business in accordance with the approved (not submitted, if different) plan, and the guidelines in the application.
- Within 5 business days, submit an updated diagram to the SLA at temporaryalterations@sla.ny.gov - include your license serial number in the subject line. Failure to do so shall subject a licensee to disciplinary charges for illegal extension of premises.
- Licensees are permitted to move any currently licensed point of sale as long as they note such movement on the diagram they submit; adding an extra point of sale (more than currently licensed) is not permitted without having an approved application to the SLA for an additional bar license.

B. Using adjoining private property:

- Complete the Town of East Hampton Application for Temporary Outdoor Dining Accommodations checking the correct box indicating whether you will be using other areas of private adjoining property.
- Upon receipt of your permit/approval letter, operate the business in accordance with the approved (not submitted, if different) plan, and the guidelines in the application.
- Within 5 business days, submit a copy of the approval letter and an updated diagram to the SLA at temporaryalterations@sla.ny.gov - include your license serial number in the subject line. Failure to do so shall subject a licensee to disciplinary charges for illegal extension of premises.

- Licensees are permitted to move any currently licensed point of sale as long as they note such movement on the diagram they submit; adding an extra point of sale (more than currently licensed) is not permitted without having an approved application to the SLA for an additional bar license.

C. Using public property:

- Complete the Town of East Hampton Application for Temporary Outdoor Dining Accommodations checking the correct box indicating whether you would like to utilize public property.
- Complete the Licensee-Certification-For-Temporary-Extension form. A copy of the form is included in this packet and a fillable form is available at <https://sla.ny.gov/system/files/documents/2020/06/licensee-certification-for-temporary-extension.pdf>. When using the printed form, “License Type” must match your current SLA license and is one of the following:
 - OP-On Premise
 - RW-Restaurant
 - TW-Tavern Wine
 - HL-Hotel Liquor
 - SL-Summer Liquor
 - HW-Hotel Wine
 - EB-Eating Place
 - MR-Restaurant Brewer
- **PLEASE NOTE THAT THIS OPTION WILL NOT BE AVAILABLE UNTIL THE TOWN OBTAINS APPROVAL FROM SLA FOR A COMPREHENSIVE PLAN FOR MUNICIPAL EXTENSION, BUT THE TOWN NEEDS YOUR APPLICATION TO PROCESS THE TOWN’S APPLICATION. IF YOU APPLY FOR THIS OPTION, YOU WILL BE NOTIFIED IF AND WHEN THE TOWN OBTAINS APPROVAL. DO NOT OPERATE ON MUNICIPAL PROPERTY UNTIL YOU RECEIVE SUCH NOTIFICATION.**
- Upon receipt of your permit/approval letter, operate the business in accordance with the approved (not submitted, if different) plan, and the guidelines in the application.
- Within 5 business days, submit a copy of the approval letter and an updated diagram to the SLA at temporaryalterations@sla.ny.gov - include your license serial number in the subject line. Failure to do so shall subject a licensee to disciplinary charges for illegal extension of premises.
- Licensees are **NOT** permitted to move points of sale onto municipal property.

D. Using a combination of private and public property:

- Complete the Town of East Hampton Application for Temporary Outdoor Dining Accommodations checking the correct box indicating whether you will be using other areas of your own property, other areas of private adjoining property, or municipal property.
- Upon receipt of your permit/approval letter, operate the business in accordance with the approved (not submitted, if different) plan, and the guidelines in the application. **NOTE:** approval for use of private property may be granted prior to approval for use of municipal property, and operation shall be limited only to that which has been actually approved.
- Within 5 business days, submit a copy of the approval letter and an updated diagram to the SLA at temporaryalterations@sla.ny.gov - include your license serial number in the subject line. Failure to do so shall subject a licensee to disciplinary charges for illegal extension of premises. **THIS MAY NEED TO BE DONE MORE THAN ONCE IF APPROVALS ARE NOT ALL GRANTED AT THE SAME TIME.**

Although not required, the Town of East Hampton strongly suggests completing an OUTDOOR SEATING AFFIRMATION with the Suffolk County Department of Health Services:

<https://eco.suffolkcountyny.gov/#/subm0/1>

IF YOUR RESTAURANT ALSO INTENDS TO PROVIDE TAKE-OUT SERVICE, PLEASE BE AWARE THAT SUCH SERVICE MUST BE CONDUCTED IN A MANNER NOT TO VIOLATE YOUR APPROVAL FOR OUTDOOR DINING.

PURSUANT OUTDOOR DINING, ALL CONSUMPTION OF ALCOHOLIC BEVERAGES MAY ONLY BE PERMITTED WHEN THE PATRON IS SEATED.

PURSUANT TO TAKE-OUT SERVICE, NO CONSUMPTION OF TAKE-OUT ALCHOLIC BEVERAGES IS PERMITTED ANYWHERE ON YOUR BUISNESS PROPERTY AND/OR MUNICIPAL PROPERTY.

Additional Application Instructions:

- There is no fee for this application.
- Applications shall be submitted to the Fire Marshal's Office at 300 Pantigo Place, Suite 111, East Hampton, NY 11937 via mail or hand delivery (drop box) or via electronic submission to David Browne, Chief Fire Marshal, at dbrowne@ehamptonny.gov.
- Applications will not be processed until all documentation is submitted.
- The Town reserves the right to request any additional information it deems necessary to make its determination regarding the issuance of a permit.
- Notarization is required, but NYS Executive Order 202.7 allows the witnessing of documents by a notary public by audio-video technology. The NYS Department of State provides guidance on this procedure.

The permit shall expire on November 1, 2020, unless rescinded by Executive Order of the Governor of the State of New York or the Supervisor of the Town of East Hampton.