



Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Office of the Mayor

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January 10, 2022

Honorable City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

Honorable City Councilors:

I respectfully submit this docket item to this Honorable Council requesting the creation of a Permanent Outdoor Dining Program for Newton restaurants to include:

(1) Granting of administrative authority to the Commissioner of Public Works, the Director of Planning and Development, and the Police Chief to seasonably approve the use of on-street parking space for restaurant outdoor dining. As the City Council decides on this permanent change, the City has docketed with the Traffic Council the continuation of a temporary policy allowing DPW to approve on-street dining in parking spaces, similar to what happened during 2021. This item will be heard by the Traffic Council on Jan. 20, 2022.

(2) Establishing an annual fee for \$250 per parking space for approved outdoor dining spaces and requesting such fee be waived for calendar year 2022.

(3) Amending the Health and Human Services General Ordinance Section 12-70 (Permits for café furniture on sidewalks) (a) (3) in the following manner:

Sec. 12-70 (c) (3):

The number, type and placement of such tables, chairs, benches, shade umbrellas, barriers and other appurtenances shall be subject to the approval of the commissioner, in consultation with other appropriate departments of the city, including the fire, police, public works, inspectional services and planning departments, and in conformity with any applicable ordinances or general laws. ~~Subject to the discretion of the commissioner, after consultation with the fire, police, public works, inspectional services and planning departments, permits may be granted to allow for the placement of up to eight (8) chairs or a number of chairs that represents ten percent (10%) of the total seating capacity for the licensed premises, whichever is greater.~~

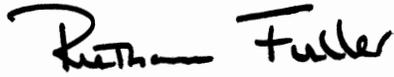
(4) Identifying the City pathway for restaurants seeking to continue to maintain outdoor dining on private property.

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2022 JAN 10 PM 4:55  
CITY CLERK  
NEWTON, MA 02459

Please see the attached memo from the Planning & Development Department's outdoor dining team (Commissioner Heath, Economic Development Director Bailin, Transportation Planning Director Freedman).

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Ruthanne Fuller". The signature is written in a cursive style with a large initial "R" and a distinct "Fuller" at the end.

Mayor Ruthanne Fuller



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
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Barney Heath  
Director

## MEMORANDUM

**TO:** Mayor Ruthanne Fuller  
Jonathan Yeo, Chief Operating Officer

**FROM:** Barney Heath, Director, Department of Planning and Development  
Nicole Freedman, Director of Transportation Planning  
Devra Bailin, Director of Economic Development

**DATE:** January 6, 2022

**RE:** **Outdoor Dining Docket Request**

I would like to submit the following docket request for the Mayor's consideration:

HER HONOR THE MAYOR requesting the creation of Permanent Outdoor Dining Program for Newton restaurants to include:

- (1) Granting of administrative authority to the Commissioner of Public Works, the Director of Planning and Development, and the Police Chief to seasonably approve the use of on-street parking space for restaurant outdoor dining. As the City Council decides on a permanent change, the City has docketed with Traffic Council the continuation of allowing DPW to approve on a case by case basis the use of on-street parking spaces for outdoor dining as had been the process for 2021. This item is scheduled to be heard by Traffic Council on January 20, 2022.
- (2) Establishing an annual fee for \$250 per parking space for approved outdoor dining spaces and requesting such fee be waived for calendar year 2022
- (3) Amending the Health and Human Services General Ordinance Section 12-70 (Permits for café furniture on sidewalks) (a) (3) in the following manner:

Sec. 12-70 (c) (3):

The number, type and placement of such tables, chairs, benches, shade umbrellas, barriers and other appurtenances shall be subject to the approval of the commissioner, in consultation with other appropriate departments of the city, including the fire, police, public works, inspectional services and

~~planning departments, and in conformity with any applicable ordinances or general laws. Subject to the discretion of the commissioner, after consultation with the fire, police, public works, inspectional services and planning departments, permits may be granted to allow for the placement of up to eight (8) chairs or a number of chairs that represents ten percent (10%) of the total seating capacity for the licensed premises, whichever is greater.~~

(4) Identifying the necessary pathway for restaurants seeking to maintain outdoor dining on private property.