



CITY OF CENTRAL FALLS
MAYOR'S OFFICE

580 BROAD STREET
CENTRAL FALLS, RI 02863

OFFICE: (401) 727-7455
FAX: (401) 727-7422

EXECUTIVE ORDER
Temporary Outdoor Dining for Restaurants
2020-0007

WHEREAS, on March 9, 2020, Governor Gina Raimondo declared a State of Emergency in Rhode Island and activated emergency planning; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a National Emergency; and

WHEREAS, it is the goal of this Administration to protect the health, safety and welfare of city residents and city employees while at the same time maintaining a basic level of city services and a functioning economy; and

WHEREAS, there presently exists limitations on businesses within the City of Central Falls and the State of Rhode Island due to the declared State of Emergency and in order to support such businesses that are suffering from mandated regulations, businesses need expanded, outdoor square footage.

NOW THEREFORE, I, James A. Diossa, Mayor of the City of Central Falls, pursuant to Rhode Island General Laws § 30-15-13, as well as Sections 4-100 and 102 of the Central Falls Home Rule Charter, declare and order the following, effective Monday, May 18, 2020:

1. Beginning May 18, 2020, and subject to all applicable city, state and federal rules and laws, every food and beverage business holding a license and in good standing with the city may begin limited outdoor dining in addition to pick-up, delivery, and drive-through operations.
2. The aforementioned license-holding businesses are hereby temporarily granted a "Temporary Outdoor Expansion of Premises License."
3. Such license is still subject to the standard show-cause petition and hearing process for any and all issues arising as a result of the use of a license in the city by the board of license commissioners.
4. Such licenses allow businesses to expand their operations to the exterior of their premises and for partial use of the public sidewalk.
5. Use of the public sidewalk shall have the following limitations:

- a. no part of the outdoor premise shall encroach upon any part of the sidewalk frontage of any adjacent premises, right-of-way or alley; and
 - b. the operation of the outdoor restaurant seating area cannot interfere with the passage of pedestrian or vehicular traffic, or reduce the open portion of the public sidewalk to less than three (3) feet clear of all obstructions - such as trees or lamp posts; and
 - c. the placement of furnishings for the outdoor seating area and its operation cannot obstruct access to public property such as bus stops, crosswalks, mailboxes, curb cuts, or parking spaces, or obstruct necessary access to any fire hydrant, fire escape or fire door, or obstruct the clear view of any traffic signal, regulatory sign or street sign; and
 - d. the licensee will be responsible for the maintenance and upkeep of the public right- of-way used for the outdoor restaurant seating area and the replacement of damaged public property, including pavers and other hard surfaces; and
 - e. no furniture or furnishings may be attached by any means to the public sidewalk or any other public property; and
 - f. there shall be a minimum distance and/or an erected barrier between the outdoor premise and any driveway wherein traffic may be entering or exiting.
6. Non-fully enclosed tents coverings for outdoor dining shall be permitted on private property where appropriate and where space is available and use of said tents is subject to the approval and jurisdiction of the fire marshal and the building/zoning official. Outdoor heaters may be permitted at the discretion of the Fire Marshal.
7. Such licenses do not exempt businesses from any public health and safety protocols, orders, or other such regulations.
8. Such licenses shall be subject to all of the rules, terms and conditions of the Phase 1 Reopening Guidelines for Restaurants as presently located at www.ReOpeningRI.com.
9. Such licenses do not permit entertainment.
10. By utilizing the Temporary Outdoor Expansion of Premises License, the licensee agrees to indemnify, defend and hold harmless the City of Central Falls, its officers, employees and agents against any and all loss, liability, damage, claims, costs and expenses, including attorney's fees which it may hereafter suffer, incur, be put to or pay out as a result of the licensee's operation of the restaurant outdoor seating area and the licensee shall at his or her own expense, appear defend and pay all fees of attorneys and all costs and other expenses arising therefrom or incurred in connection therewith; and, if any judgments shall be rendered against the city in any

such action, the licensee shall satisfy and discharge the same excluding only such claims, demands or losses, which result from the sole negligence of the city or its officers, agents or employees..

11. By utilizing this temporary license, the licensee agrees that the City, by and through its departments, shall enforce the requirements of this license and that the police department may temporarily revoke said license in advance of a show cause hearing before the board of license commissioners.
12. All licensees are reminded that, pursuant to Executive Order 2020-0006, everyone within the geographical boundaries of Central Falls are required to wear a cloth face covering when in all public spaces including, but not limited to, sidewalks, roadways, businesses, government buildings and health care facilities. Exceptions for this requirement to wear a cloth face covering include young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance or anyone to whom wearing a cloth face covering would damage his or her health.



James A. Diossa
MAYOR

Dated: May 15, 2020