Now that the Open Restaurants program has been extended year-round, it’s important that we work together to make all roadway seating areas as safe as possible, especially to better withstand the stresses that winter may bring – such as slippery roads, snow removal operations, and snow piles pushing against barricades.

As announced in September, some safety enhancements will be mandatory to meet this goal while minimizing the need for costly improvements. Below, we’ve laid out new roadway barrier requirements, enclosure guidelines and expectations during snowfall, along with ways in which the City will assist restaurant owners remain compliant.

The City is ready to help program participants with any questions and is deploying a team of inspectors to assist owners/managers in understanding new and existing requirements. Participants may submit questions to DOT at https://on.nyc.gov/2DlH4sT or call the SBS hotline at (888) SBS-4NYC.

ROADWAY BARRIERS
Adjustments required by December 15, 2020

- Barriers must have a fully built interior wall and bottom to hold filler material.
- All 18-inch roadway barriers must be completely filled with soil or sand.
- Continuous reflector tape must be added along the top outside edges, and snow sticks must be added to the corners of the two barriers facing traffic.
- A plastic water-filled barrier in front of the roadway barrier facing oncoming traffic will be required for a majority of restaurants; “high priority” restaurants for whom a water-filled barrier will be required will be identified based on the street’s crash rates and traffic volumes, as well as if it’s a truck route. These restaurants will be contacted separately to confirm this requirement applies to them. For all other restaurants, similarly placed water-filled barriers are highly recommended.

Sandbags, reflector tape, snow sticks, and plastic barriers will be available to all participants, free of charge. Limited deliveries of plastic barriers will be made to the “high priority” restaurants; those restaurants will be contacted separately. All other distribution and pickup details to follow.
ENCLOSES

- New York State outdoor dining guidelines permit installing a temporary or fixed cover (e.g. awning, roof or tent) so long as it has at least two open sides for airflow. Of the two sides that need to be open, one must be parallel to the roadway. If at least the two sides are completely open, you may exceed 25% capacity as long as existing outdoor dining guidelines are followed, (e.g., 6’ between tables, no more than 10 people seated at one table). If fewer than the two sides are completely open, the occupancy limit will be capped at 25% capacity, and all indoor dining guidelines must be followed.
- Enclosed structures, such as plastic domes, will be allowed for individual parties and must have adequate ventilation to allow for air circulation.
- For restaurants with roof structures, the city will be releasing tips and guidance on how to make them secure, as well as quick action to remove snow from roofs, awnings, and tents.
- Only electrical heaters are allowed within the roadway setups.
- Additional restrictions apply to restaurants in New York State Hot Spot Zones [https://forward.ny.gov/cluster-action-initiative]

SNOW

- During an active snow alert:
  - Diners may not sit in roadway setups. Please remove or secure any tables and chairs.
  - All electrical heaters in roadway setups must be removed.
  - If possible, remove any overhead coverings or regularly remove the snow until the snow alert ends.

- If 12” or more of snow is forecast:
  - Remove or consolidate your roadway setups to have as small a footprint as possible along the curb.
  - If you’re unable to remove or consolidate your roadway setup, you are encouraged to take steps to protect your asset from damage due to snow removal operations. The Department of Sanitation (DSNY) has conducted training exercises that included simulated snow removal operations on narrow streets with roadway setups on both sides. DSNY will conduct targeted outreach to restaurants to ensure setups meet DOT siting criteria and that roads can be efficiently plowed and remain passable.
○ Use your snow sticks to increase visibility of your setup components if they are moved.
•
• You can sign up to receive snow alerts and all snow-related updates through Notify NYC. To sign up for Notify NYC, call 311, visit www.nyc.gov, or follow @NotifyNYC on Twitter.

Finally, as a reminder, pursuant to new state guidance that goes into effect at 10 p.m. November 13, 2020, bars and restaurants will be required to close in-person service from 10 p.m. to 5 a.m. daily. After 10 p.m., bars and restaurants will be able to provide food to-go for curbside pickup or delivery, but will be prohibited from serving alcohol to-go.

If you have questions or need more support to re-open your business please contact the New York City Department of Small Business Services at 888-SBS-4NYC or 888-727-4692.