



City of Boston
Mayor Martin J. Walsh
Licensing Board

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Executive Secretary:
Lesley Delaney Hawkins

**THE LICENSING BOARD FOR THE CITY OF BOSTON'S ADVISORY REGARDING
ADDITIONAL MANDATORY OPERATIONAL REQUIREMENTS APPLICABLE TO
ALL LICENSEES IN BOSTON**

Issued: December 14, 2020

**READ THIS DOCUMENT CAREFULLY AS IT REQUIRES ACTION ON THE PART
OF CERTAIN LICENSEES**

The Licensing Board for the City of Boston issues this advisory (the "Advisory") regarding additional mandatory operational requirements applicable to all licensees in the City of Boston. Effective **Wednesday December 16th**, due to incoming public health metrics, the following applies to all licensees:

1. Bar seating is prohibited unless express written approval is issued by the Board pursuant to this Advisory;
2. Face coverings are mandatory at all times unless the patron is eating or drinking even if maintaining six (6) feet of social distance from the server, bartender, or other parties or patrons;
3. Permissible entertainment is limited to approved televisions and background music; no live entertainment or performances are permitted;
4. All uses ancillary to dining are prohibited including, but not limited to, the use of pool tables, darts, billiards, and bowling;
5. No patron or party may remain at the licensed premise longer than ninety (90) minutes in a calendar day. Consecutive reservations and readmittance are prohibited; and
6. The Board and the City of Boston strongly encourage licensees to focus on take-out and to-go orders as these limit the amount of time a patron is in the licensed premise;

As detailed herein, bar seating in the City of Boston will be closed until further notice but may be permitted with express written approval by the Board. In order to safely utilize bar seating, licensees must submit a bar seating plan (the "Plan") to the Board for review and approval.

That approval shall be subject to inspection by the agents of the Board. No Bar Seating Plan may be utilized by a licensee unless and until the licensee has received and posted the express written approval of the Board. Submission of a proposed plan does not constitute approval.

Any licensee found not to be in compliance with this Advisory will be subject to a violation hearing before the board at its next scheduled emergency hearing. The Board has scheduled a standing emergency violation hearing on Mondays at 11:00am to address any egregious violations from the preceding weekend including COVID-19 related violations. These emergency hearings allow the Board to act swiftly to ensure the safety of patrons, restaurant staff, and the general public. If the Licensed Premise Unit encounters any violations that rise to the level of requiring immediate action the notice of the emergency hearing will be issued with

the licensed premise inspection report.

Safe use of the bar seating area may be accomplished in a number of ways including:

- Without the installation of plexiglass between the patrons seated at the bar and the bartender, a licensee may propose to pull up a table to the bar, increasing the space between the patrons and the bartender, and seat patrons at the far end of the table not adjacent to the bar;
- Installation of plexiglass or other non-porous surface around the bar separating patrons seated at the bar from the bartender and separating parties seated at the bar; or
- Ensuring the designated active work/service bar area is separated by more than six (6) feet from any patrons.

Any use of bar seating requires an application to and the written approval by the Board; submission of a Plan does not constitute approval. Any patron sitting at a bar in a licensed premise that is found not to be in compliance with this Advisory will be asked to leave the licensed premise immediately and will not be given the opportunity to finish their meal.

A licensee may request approval of a Plan by completing this [form](#). This plan must include the following information and you must answer all of the following questions:

- Photograph of the bar area in the proposed set-up (without patrons);
- Diagram of the bar area (may be hand drawn) identifying the dimensions of the bar, each seat, active work/service area, and any installed plexiglass including location and height;
- Number of seats at the bar pre Covid-19;
- Number of seats at the bar proposed under this bar seating plan;
- Acknowledgement that bartenders must work from a designated active work/service area that must be separated from patrons by a minimum of six (6) feet or enclosed by plexiglass or other non-porous materials and an explanation of how the proposal adheres to this requirement.
- Will the licensee be pulling up a table to extend the bar and seating patrons at the end of the table (not adjacent to the bar)?;
- Is there a plexiglass separation between the patrons and active work/service area? If so, provide height and dimensions?;
- Is there a plexiglass separation between parties sitting at the bar? If so, provide height and dimension.

An active work/service area is that area in which bartenders are actively mixing drinks, cutting fruit, inputting orders, or standing when not interacting with patrons.

Any approval of a Plan issued by the Board must be printed and kept at the licensed premise available for inspection.

The Advisory is issued in response to the ongoing public health crisis related to the spread of COVID-19 (coronavirus) and will be strictly enforced by the Board and the Boston Police Department. Failure to adhere to any of the foregoing will result in disciplinary action including, but not limited to, the suspension of any license issued by the Board.

Claims of ignorance of the law, the Guidance, or the Advisory are not a defense.

Please refer to [boston.gov/coronavirus](https://www.boston.gov/coronavirus) for more information on COVID-19. Any questions should be directed to the Board's Executive Secretary, Lesley Delaney Hawkins, Esq., who can be reached at (617) 635-4170 or Lesley.hawkins@boston.gov.

For the Board,

Lesley Delaney Hawkins

Lesley Delaney Hawkins, Esq.
Executive Secretary