



General Assembly

January Session, 2021

Raised Bill No. 6610

LCO No. 4217



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING THE PROVISION OF OUTDOOR FOOD AND BEVERAGE SERVICE BY RESTAURANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
2 section, "food establishment" means a food establishment that is
3 licensed or permitted to operate pursuant to section 19a-36i of the
4 general statutes, and "municipality" has the same meaning as provided
5 in section 8-1a of the general statutes.

6 (b) Notwithstanding any provision of the general statutes, special act,
7 municipal charter or ordinance, the zoning commission of each
8 municipality shall allow any licensee or permittee of a food
9 establishment operating in such municipality to engage in outdoor food
10 and beverage service as an accessory use of such food establishment's
11 permitted use. Such accessory use shall be allowed as of right, subject
12 only to any required administrative site plan review to determine
13 conformance with zoning requirements not contemplated by this
14 section.

15 (c) Any such licensee or permittee may engage in outdoor food and

16 beverage service (1) on public sidewalks and other pedestrian pathways
 17 abutting the area permitted for principal use and on which vehicular
 18 access is not allowed, (A) provided a pathway the length of the lot upon
 19 which the area permitted for principal use is located, and not less than
 20 six feet in width, not including any area on a street or highway, shall
 21 remain unobstructed for pedestrian use, and (B) subject to reasonable
 22 conditions imposed by the municipal official or agency that issues right-
 23 of-way or obstruction permits; (2) on off-street parking spaces
 24 associated with the permitted use, notwithstanding any municipal
 25 ordinance establishing minimum requirements for off-street parking; (3)
 26 on any lot, yard, court or open space abutting the area permitted for
 27 principal use, provided (A) such lot, yard, court or open space is located
 28 in a zoning district where the operation of food establishments is
 29 permitted, and (B) the licensee or permittee obtains written
 30 authorization to engage in such service from the owner of such lot, yard,
 31 court or open space and provides a copy of such authorization to the
 32 zoning commission; and (4) until 9 o'clock p.m., or a time established by
 33 the zoning regulations of the municipality, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Purpose:

To require municipal zoning commissions to permit restaurants to engage in outdoor food and beverage service as an accessory use of such restaurant's permitted use.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]