

**Proposed Substitute
Bill No. 6610**

LCO No. 5687

**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. (*Effective from passage*) (a) For the purposes of this section,
2 "food establishment" means a food establishment that is licensed or
3 permitted to operate pursuant to section 19a-36i of the general statutes,
4 and "municipality" has the same meaning as provided in section 8-1a of
5 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 until March 31, 2022. Such accessory use shall be allowed
12 as of right, subject only to any required administrative site plan review
13 to determine conformance with zoning requirements not contemplated
14 by this 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 (i) constructed in
19 compliance with physical accessibility guidelines, as applicable, under

20 the federal Americans with Disabilities Act, 42 USC 12101, et seq, as
21 amended from time to time, and (ii) the length of the lot upon which the
22 area permitted for principal use is located, and not less than six feet in
23 width, not including any area on a street or highway, shall remain
24 unobstructed for pedestrian use, and (B) subject to reasonable
25 conditions imposed by the municipal official or agency that issues right-
26 of-way or obstruction permits; (2) on off-street parking spaces
27 associated with the permitted use, notwithstanding any municipal
28 ordinance establishing minimum requirements for off-street parking; (3)
29 on any lot, yard, court or open space abutting the area permitted for
30 principal use, provided (A) such lot, yard, court or open space is located
31 in a zoning district where the operation of food establishments is
32 permitted, and (B) the licensee or permittee obtains written
33 authorization to engage in such service from the owner of such lot, yard,
34 court or open space and provides a copy of such authorization to the
35 zoning commission; and (4) until nine o'clock p.m., or a time established
36 by the zoning regulations of the municipality, whichever is later.

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