



OPEN Restaurants

Roadway Seating Checklist



We're here to help! Our goal is to have a successful Open Restaurants program that promotes open space, enhances social distancing, and helps NYC's restaurants rebound from the shutdown. Here are the most common reasons restaurants fail roadway seating inspections, and what you should look for to fix yours. Complete guidance is at nyc.gov/openrestaurants. Failure to comply will lead to a cease & desist order and potential fines.

As a reminder, other agencies are inspecting Open Restaurants for issues within their purview. Please be sure your staff and patrons adhere to social distancing and face covering policies. Regulations on alcohol service will be strictly enforced.

✓ A compliant roadway seating setup

Reason #1: Roadway seating doesn't qualify for the space in front of your restaurant.

Make sure roadway seating is:

- Only in front of your restaurant
- More than 15 feet from the nearest fire hydrant
- More than 8 feet from the nearest crosswalk, to allow for safe vehicle turns and avoid crowding
- 8 feet or less from the curb
- Not in a No Stopping Anytime zone, a No Standing Anytime zone, Authorized Parking Only zone
- Not in a bike lane, a bus lane/stop, a taxi stand a car share space, or Citi Bike station.
 - The only exception is if these restrictions are part-time — in which case, roadway seating will be allowed when those restrictions are not in effect

Please reference the **Open Restaurant FAQ** at nyc.gov/openrestaurants. If you don't meet these criteria, consider self-certifying for sidewalk seating, if you haven't already, at nyc.gov/openrestaurants. You might be able to place seating on the sidewalk in front of your restaurant. If placing seating on the sidewalk, ensure your seating leaves at least 8 feet of space for pedestrians to pass through.



X Roadway seating barriers may not block any part of the bike lane



X Roadway seating may not be in a travel lane



X Roadway seating may not be in any portion of a bus stop. This barrier, while enclosed on all three sides, is also not thick enough



X Roadway seating must be 15 feet away from the nearest fire hydrant

Reason #2: Barriers are not robust enough.

Make sure your roadway seating barriers are:

- Continuous on three sides
- Continuous with no gaps large enough for a child to pass through or underneath
- At least 18 inches thick and between 30 and 36 inches high (minus plantings)
- Sturdy and not easily unintentionally moved. It is recommended to fill barriers with sand or soil to ensure strong, solid barriers.

Tips:

- While not mandatory, many restaurant owners choose to beautify their barriers with plantings to further add stability and weight that hollow barriers might otherwise lack.
- Barriers can be comprised of multiple components, like planters, as long as they meet the required dimensions when assembled and do not leave gaps in between them. Some restaurant owners choose to drill them together to add sturdiness and prevent theft.



X French barricades are not acceptable barriers for roadway seating.



X Roadway seating must be entirely enclosed on all three sides



X Gaps should not be large enough for a child to pass through

Reason #3: Roadway seating is not visible enough – or is too distracting – at night.

Make sure your roadway seating barriers have:

- High intensity retro-reflective tape or reflectors
- Lighting similar to the brightness of typical mood or ambient lighting, if any at all. For the safety of your patrons and passing drivers, you will be asked to remove any lighting that is bright enough to blind passing drivers.

Tip:

- Some restaurant owners choose to decorate with low-wattage string lighting. Mood and ambiance lighting is welcome within the setup as long as the power source is not a trip hazard.



✓ Appropriate reflectors

Reason #4: Tents and umbrellas not secured pose a safety risk

Make sure:

- Umbrellas are weighted down, but not affixed or bolted to the roadway or sidewalk
- Tents are weighted down, but not affixed or bolted to the roadway or sidewalk
- Tents are under 400 square feet in area



X This tent is over 400 square feet in area. This barrier, while enclosed on all three sides, is not thick enough

Reason #5: Roadway seating area is not ADA-compliant

Make sure your roadway seating has:

- A ramp from the curb to seating area, if not already level, made of non-permanent materials.



Remember, we haven't won the battle with COVID-19 yet. Please, do your part by ensuring that staff are wearing PPE, tables are adequately spaced apart, and customers are social distancing when they're not seating.

✓ Appropriate temporary ADA ramp