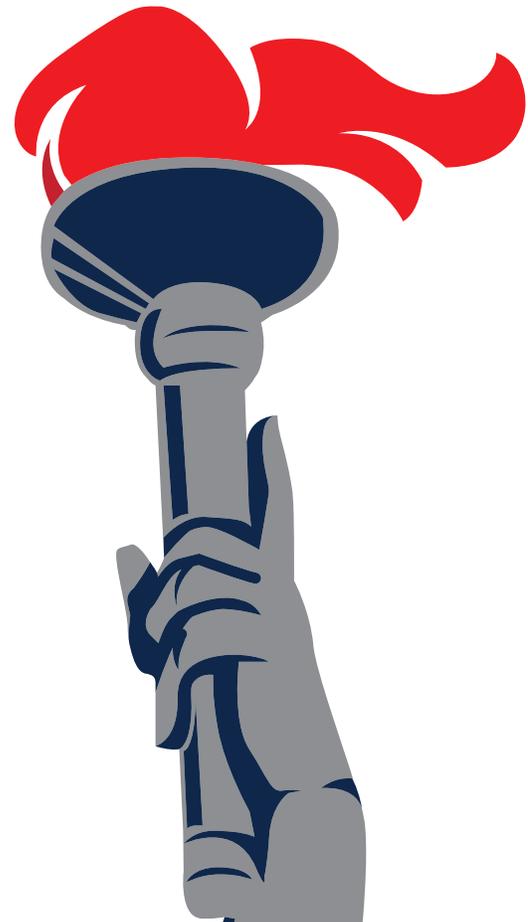


Dine Out Indy

FAQs About
Reopening
Restaurants



**THE CITY OF
INDIANAPOLIS**

Dine Out Indy:

FAQs About Reopening Restaurants

It's time to start reopening restaurants across Indianapolis—and to help keep everyone safer, there are new regulations to follow. Here are answers to some frequently asked questions about if and how you can open.



Who is eligible to take part in this program?

Restaurants currently licensed with the Marion County Public Health Department are eligible to apply for a free limited-duration license from the city, if:

- They already offer outdoor seating;
- They propose outdoor seating within a public right-of-way closed to vehicular traffic by the city; or
- They propose outdoor seating space on private property adjacent to with the restaurant—a parking lot, for example.

To begin operations, you must:

- Complete the application process.
- Comply with all guidance and requirements of the city, the Marion County Public Health Department, and the Indiana Alcohol and Tobacco Commission.
- Comply with ADA accessibility requirements.

Only restaurants with an existing liquor license issued by the Indiana Alcohol and Tobacco Commission may serve alcohol.

Bars that do not currently serve food are **NOT** eligible to provide outdoor seating service under this program.

How long will this program last?

Licenses issued under this program expire on July 4, 2020, unless future orders allow for an extension.

Licenses may be revoked by the city at any time for failure to comply with any applicable requirements.

How do I sign up my restaurant?

Fill out **the application form here**; for questions regarding the application, please contact **dineout@indy.gov**

If approved, you must:

- Notify the Marion County Public Health Department of your plans to operate at **foodsafe@marionhealth.org**.
- Send your proposed floorplan to Indiana State Excise Police District 6 Commander Jeff Lang, at **jlang@atc.in.gov**.
- Comply with the Marion County Public Health Department's **Interim Guidance for Restaurants and Bars for Outdoor Dining**
- Comply with guidelines provided by the Indiana Alcohol and Tobacco Commission, **found here**, which include:
 - Total outdoor seating capacity is limited to no more than 50% of your restaurant's original seating capacity
 - Your outdoor seating area must be clearly delineated and contiguous with the restaurant.
 - Tables are spaced 6 feet apart and parties are limited to no more than 6 people.

Only table service is provided; outdoor bars are not allowed and indoor bar areas must remain closed.

- You may not share your outdoor seating space with another restaurant.
- If your existing space was age-restricted, then your outdoor seating area must be age-restricted.

Do I need a special permit from the health department to serve food outside?

No additional permit from MCPHD is required; however, if you receive a free limited-duration license, you must notify the health department of your expanded operation at foodsafem@marionhealth.org.

Can I provide outdoor seating service if I previously did not?

Yes—if you meet the criteria described here for space contiguous to your restaurant and/or the public right-of-way in front of your business is closed to vehicular traffic by the city.

If the city closes the street in front of my business to vehicular traffic, what else do I need to know to provide seating in the street?

Cleanup of outdoor space is the responsibility of the restaurant owner, and a violation may result in the revocation of your license.

You may not operate in fire access lanes created by the city for emergency use.

Barricades blocking vehicular traffic will be removed by the city each night and replaced at 11 a.m. the next morning to allow for deliveries, trash removal, and any scheduled street sweeping.

No structures, barricades, canopies, or seating may be permanently affixed to, damage, or degrade the public right-of-way, and any canopies should be weighted down and not secured by spikes.

Why is the city shutting down some streets and not others?

Safety is of the utmost concern in determining whether to close streets and allow for outdoor seating. Factors include the possibility for proper social distancing, the rate of traffic, and adequate buffers between seating and traffic.

The list of streets closed to vehicular traffic is subject to change if it's determined that safety concerns can be adequately addressed, there exists a density of restaurants requesting a closure, and adequate equipment and personnel are available.

If I want to use a parking lot or side lot for outdoor dining, what else is required?

The property you plan to use for seating must be contiguous with the restaurant.

If you don't own the property you propose to use for outdoor seating, you must provide written permission from the owner of the lot along with your detailed site plan.

A decorative fence, wall, or similar barrier at least 3 feet in height needs to be erected and maintained between any outdoor seating or patio area and the public right-of-way.

You must provide conveniently located outdoor waste and recycling receptacles for customers, and the receptacles must be regularly serviced and maintained.

For the duration of this program, any parking space requirements under the zoning code will not be enforced, except in zones designated CS.

Can I provide live entertainment?

No. Governor Holcomb's plan prohibits live music statewide during Phase 2 of the reopening process.

If I am setting up a canopy in my parking lot, what do I need to know?

Canopies with open sides are allowed; tents with closed sides are NOT allowed.

For canopies greater than 3,200 sq. ft., you will need a temporary structure permit from the Department of Business and Neighborhood Services. If this large a canopy will be in place for more than 30 days, you will need a variance will from the Indiana Fire Prevention and Building Safety Commission.

What signage requirements exist under the program?

No additional permits are needed for signs to mark seating between restaurants, provide directions or instructions, or advertise outdoor seating.

Signs must not impede ADA accessibility or lines of sight for emergency personnel and traffic.