

SENATE No. 2594

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to local opt-in for permanent outdoor dining.

PETITION OF:

NAME:

Bruce E. Tarr

DISTRICT/ADDRESS:

First Essex and Middlesex

SENATE No. 2594

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2594) (subject to Joint Rule 12) of Bruce E. Tarr for legislation relative to local opt-in for permanent outdoor dining. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to local opt-in for permanent outdoor dining.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding chapter 40A of the general laws or any special permit, variance or any
2 other general or special law to the contrary, a city or town may approve requests for expansion of
3 outdoor table service or extensions of earlier granted approvals, including a local licensing
4 authority ("LLA") approving a request for a change description of licensed premises for the
5 purpose of permitting outdoor alcohol and or service. For the purposes of this section "outdoor
6 table service" shall mean restaurant service that includes food prepared on-site and under food
7 permits issued by municipal authorities pursuant to 105 CMR 590.00 that is served to seated
8 diners outside the restaurant building envelop, whether on a sidewalk, patio, deck, lawn, parking
9 area, or other outdoor space.