



Rhode Island Department of Transportation

Restaurant Outdoor Dining Sidewalk Seating & Roadway Parking Permit Application (Reopening RI Plan – Phase 1)

[Reopening RI - Phase 1 guidelines for Restaurants](#) allows restaurants to begin limited outdoor dining, subject to applicable municipal approval(s). All indoor dining areas and seating must remain closed to customers.

In conjunction with these guidelines, the Rhode Island Department of Transportation (RIDOT) has established a process by which restaurants may apply for and obtain a permit to: 1) use a “sidewalk” (the area outside the paved portion of the state roadway right-of-way (R.O.W.) designated for vehicular traffic and on-street parking) along a state highway for outdoor dining/seating, and 2) allow parking along a state road in areas where it would normally not be permitted. Only restaurants that utilize their on-premises parking lots for outdoor seating may apply for the parking modification. Municipal Police Chief or Chief Public Safety Official concurrence is required.

Please fill out this application completely and mail to: **State Traffic Engineer, Rhode Island Department of Transportation, Two Capitol Hill, Providence, RI 02903** or email to: dot.trafficpermits@dot.ri.gov.

IT IS THE PERMITTEE’S RESPONSIBILITY TO OBTAIN APPLICABLE APPROVALS FROM THE CITY OR TOWN.

Name of Restaurant

Street Address City/Town

Contact Number and Email Address

Restaurant Owner (Permittee)

Street Address City/Town State

If applicable: Description of Location of Requested Parking Within State R.O.W. (please attach photo and/or maps).

I understand that any outdoor dining/seating within the State highway right-of-way is subject to the following terms and conditions, and failure to abide by all these conditions will cause the permit to be immediately revoked upon verbal notification by the Rhode Island Department of Transportation (Department).

Form continues on next page

As the PERMITTEE I agree:

1. Not to use, for outdoor dining/seating, any paved portion of the State highway right-of-way ("highway right-of-way") designated for vehicular travel or on-street parking.
2. To only use the highway right-of-way to the extent of the Restaurant's frontage on the State highway, unless the Restaurant has written permission of the abutting property owner and/or the abutting business owner, as necessary.
3. To accept the premises in the highway right-of-way as is and subject to all restrictions, easements and matters of record.
4. To make no alterations to the highway right-of-way without the express written permission of the RIDOT Chief Engineer.
5. To obtain all applicable municipal approvals for outdoor dining.
6. To comply with all requirements of the Americans with Disabilities Act for pedestrian traffic as it relates to the highway right-of-way.
7. To use the roadway portion of the highway right-of-way solely for customer parking only, and/or to use the sidewalk portion of the highway right of way solely for outdoor dining/seating, in compliance with the approved permit. No other uses are allowed.
8. To remove all tables, chairs and other furnishings and accessories from the sidewalks at the end of each workday and/or whenever the Restaurant is not in operation, and to remove any parking accessories from the roadway at the end of each workday and/or whenever the Restaurant is not in operation.
9. To maintain on the Restaurant's premises a signed copy of the approved Department permit.
10. To abide by all State and Federal rules and regulations governing the use of the highway right-of-way.
11. To allow the Department to inspect the use of the state right-of-way at any time.
12. To indemnify, defend and hold harmless the RIDOT for any such injury, damage, and/or loss that may be incurred, either directly, or as a result of activities hereby permitted, and to reimburse the Department for any expenses incurred due to the performance of any activities undertaken under the terms of the permit.
13. Any Department Permit for outdoor dining/seating or special parking will be null and void unless approval from the Town in which the Restaurant is located is received and remains operative.
14. The Department is authorized to suspend the permit without incurring liability for any reason, including but not limited to the need to perform maintenance and/or construction as required within the limits of the assigned location.
15. The Department retains full authority to revoke the permit without notice as it deems necessary or if the PERMITTEE fails to comply with any conditions of the permit, or for any public purpose, without liability to the Department.
16. The permit is not assignable or transferable, either in whole or in part.
17. The permit will automatically expire upon the expiration of any Executive Order issued by Governor Raimondo restricting indoor Restaurant dining.

Applicant/Permittee's Name and Title

Signature & Date

Form continues on next page

Do not fill out this section - for official use only

MUNICIPAL APPROVALS:

Pursuant to Section 31-12-12(a) of the Rhode Island General Laws of 1956, as amended, local authorities are empowered to regulate processions and/or assemblages on streets and highways within their jurisdictional limits, as well as to enforce applicable traffic regulations within the reasonable exercise of police power.

Municipality: _____ Municipal Official (Title): _____

Signature: _____ Date: _____

For Additional Parking on State Road Rights-of-Way requests (If Applicable):

Municipality: _____ Chief Public Safety Official: _____

Signature: _____ Date: _____

RIDOT APPROVAL/DENIAL: _____

The State of Rhode Island approves/denies the application. Reason for denial (if applicable):

RIDOT State Traffic Engineer Date

Please contact RIDOT at 401-563-4296 with any questions. Your application may be denied if the State highway where the Restaurant is located is scheduled to be under construction.