

# TOWN OF BURRILLVILLE

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**The Town Council of the Town of Burrillville hereby ordains as follows:**

The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 8 entitled *Businesses and Licensing*, Sec. 8-55 entitled *Class B and C license rules*, are hereby amended as follows:

## Chapter 8 – BUSINESSES AND LICENSING

### Sec. 8-55. - Class B and C license rules.

(a) The following regulations shall apply to class B and C license holders:

(11) No alcoholic beverage shall be permitted to be removed from the interior of a licensed establishment by any patron except as provided and permitted pursuant to R.I.G.L §§ 45-24.7-1 through 45-24.7-4 and subsection (b) of this section.

(b) Notwithstanding the provision of subsection (a)(11) of this section an applicant may ~~apply for permission to~~ serve alcoholic beverages on a deck or patio subject to the following conditions:

(1) That the licensed premises including the deck or patio is not located within 200 feet of a residence.

(2) ~~An A business serving applicant seeking permission to serve~~ alcoholic beverages on a deck or patio may ~~request this privilege at any time~~ utilize only the property owned or leased under the business license provided that the applicant holds a validly issued liquor license. ~~Renewal of this privilege shall occur when liquor licenses are annually renewed.~~

(3) ~~At the time of the initial request the applicant~~ Prior to utilizing any outdoor area to serve alcoholic beverages, the license holder must submit a radius map prepared by a licensed surveyor showing that there are no residents within 200 feet of the premises. An applicant seeking renewal of this privilege shall submit an affidavit stating that no residents are legally residing within the 200-foot radius. If it is determined that there are residents residing within a 200 foot radius of the licensed premises, the license holder shall not be permitted to serve alcohol in any outdoor area unless, after a public hearing, the Town Council approves of the request of the applicant/license holder to serve alcoholic beverages on a deck or patio. A In order to comply with the public hearing requirement, a public notice shall be published and a public hearing held prior to acting on a request for this privilege. Notice shall be given by mail by the town clerk to all owners of property within 200 feet of the place of business seeking the permit, all costs associated with the application shall be paid by the applicant.

(4) The applicant/license holder shall, at the time of any application, submit a plan showing the proposed deck or patio which must be attached to or in the case of a patio immediately adjacent to the licensed premises and may not exceed 40 percent of the square feet of the interior of the licensed premises.

- (5) The deck or patio shall not increase the capacity of the interior premises of the building as established by the state fire code, all construction shall be in conformance with the zoning, fire and building codes.
- (6) Food service must be available on the deck or patio, live music or amplifiers of any type are prohibited on the deck or patio. The service of food or liquor on the deck or patio must cease at 10:00 p.m. and the deck or patio must close.
- (7) In the event that a residence is located within 200 feet of the licensed premises subsequent to granting ~~the privilege~~ any license to serve liquor on the deck or patio the licensee: ~~shall erect a fence, hedge and/or vegetative buffer at least five feet high as approved by the building official, at the property line between the deck or patio and the property line of the residence. The purpose of the fence, hedge and/or vegetative buffer is to obstruct the view of the deck or patio from the neighbors.~~
- A) may seek a waiver from the 200-foot requirement from the town council acting as the licensing authority; or
- B) shall erect a fence, hedge and/or vegetative buffer at least five feet high as approved by the building official, at the property line between the deck or patio and the property line of the residence. The purpose of the fence, hedge and/or vegetative buffer is to obstruct the view of the deck or patio from the neighbors.
- (8) Notwithstanding any provisions contained above to the contrary, an applicant for an outdoor privilege for any establishment located within the Stillwater Mill redevelopment district, ~~or the~~ Downtown Pascoag redevelopment district or the Nasonville redevelopment district may seek a waiver from the 200-foot requirement from the town council acting as the licensing authority.
- (9) No advertising signs or banners, excluding decorative umbrellas or canopies shall be located on or attached to the deck or patio.
- ~~(10) The privilege to serve liquor outside the premises is separate and apart from the issuance of the liquor license which may be revoked upon notice, and an opportunity to be heard without affecting the liquor license.~~

These amendments shall take effect upon passage.

Adopted this 8<sup>th</sup> day of May 2024.



Donald A. Fox, President  
Burrillville Town Council

ATTEST:



Vicki T. Martin, Town Clerk

