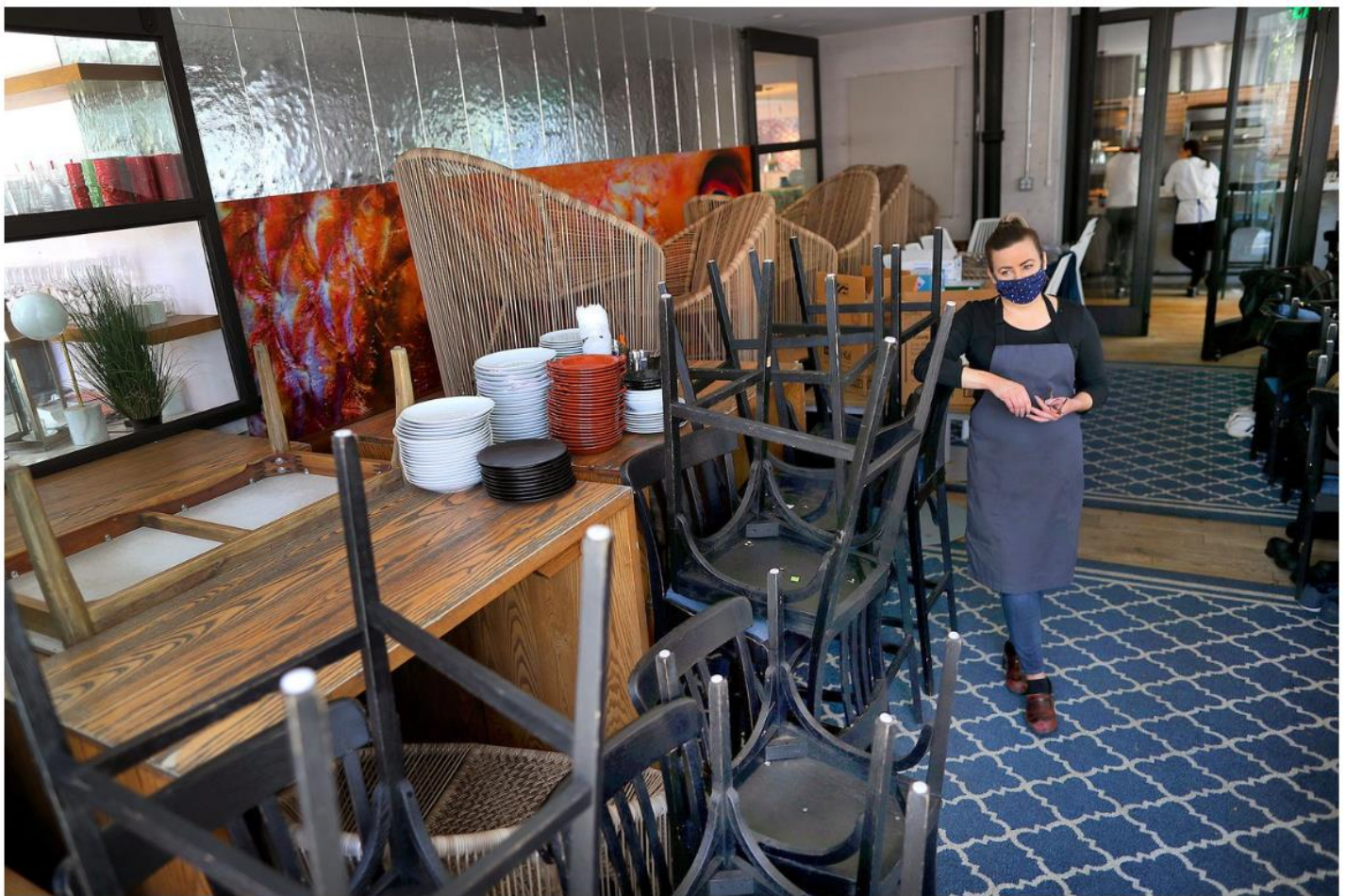

The Boston Globe

OPINION

How municipalities can help restaurants reopen

Local governments have a prime opportunity to ensure restaurants remain the cornerstone of our communities.

By Adam Barnosky Updated May 19, 2020



Porto Restaurant is trying to figure out how to deal with social distancing and COVID-19 when they reopen. Municipalities can help ensure the reopening process is a smooth one for local restaurants. JOHN TLUMACKI/GLOBE STAFF

How municipalities can help restaurants reopen

During phase two of Governor Baker's reopening plan to reopen the economy, restaurants throughout Massachusetts will reopen their doors to a far different reality than existed before the coronavirus pandemic forced a mandated statewide shutdown in March. To ease the burden of reopening, local governments can take practical and proactive measures to expedite permitting, waive regulatory hurdles, and provide a clear and cohesive message for restaurant owners.

As restaurants reopen, a flood of health inspections and approval of key employees will be required at the local level. Municipalities can move the process forward by providing advance alerts on local permitting and inspection requirements, prioritizing licensing/management approvals, and phasing health inspections. Licensing could be streamlined by removing procedures duplicated by the state, such as CORI background checks for managers of record. Practical alternatives, like online education and testing of alcohol intervention verifications, could replace the mandatory in-person training required by many local licensing authorities for management and staff.

Restaurants will succeed, in part, by adapting operations to consumer trends, and municipalities should expect an increase in requests for expanded outdoor seating areas and new parking configurations to meet the increased demand for takeout.

Municipalities can assist by implementing temporary zoning and licensing regulations. Without such measures, restaurant operators could run afoul of local regulations regarding the retail sale of goods by restaurateurs, compliance with operating hours, curbside pickup, non-use of liquor licenses, and packaging and plastics requirements. Further, in an effort to promote social distancing, local governments can prioritize applications to expand outdoor seating on private property and review efficiencies to promote seating in public areas. In Boston, an effort to streamline temporary outdoor seating is now underway.

Many local boards now convene remotely, but more participation will be needed to make a consistent, widespread impact as over 10,000 restaurants open across the state. Zoom, Microsoft Teams, and similar services provide an effective tool for approvals and can be used for as long as Governor Baker's order suspending certain provisions of the Commonwealth's open meeting law remains in effect. Standard licensing considerations — such as ownership and management changes — planning and zoning matters relating to adaptive restaurant changes, as well as other routine applications should be heard and approved on a regular basis.

Restaurateurs will be hit by a wave of unplanned expenses in the year ahead. A waiver of municipal fees related to reopening, such as health department reinspection fees, licensing application fees, and annual renewals will be crucial to relieve restaurant owners from the additional overhead. Abatements or deferrals of commercial real estate taxes and water and sewer fees, while more difficult to implement from a budgetary perspective, would provide a substantial break for restaurateurs and owners of commercial real estate. To further promote financial stability, local economic development departments should provide information on COVID-19-related grant and loan programs to restaurants in their community.

Communication will play a crucial role as the industry reopens. Direct information and advisories from local governments will benefit both the businesses within the community as well as the public. Many communities have already started this process. In Boston, for example, the licensing board's weekly online conference with practitioners provides information on procedures and general updates on local and state regulations. Other communities regularly provide COVID-related updates by email and online. But broader, more proactive communication is needed throughout the Commonwealth to ensure businesses understand the specific requirements of their local community.

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Local governments have a prime opportunity to ensure restaurants remain the cornerstone of our communities. If we fail to move swiftly, we could miss the crucial window when businesses need the most help.

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