

Town of Waterbury
Interim Temporary Dining Tent & Sign Bylaw Amendments
Draft – May 28, 2020

ARTICLE XVI INTERIM TEMPORARY DINING TENT & SIGN BYLAW AMENDMENTS

Section 1600 Enactment and Authority

The Town of Waterbury has adopted these interim bylaws in accordance with and as authorized by the *Vermont Municipal and Regional Planning and Development Act*, 24 V.S.A. Chapter 117, §4415, Interim Bylaws.

Section 1601 Purpose

(a) The purpose of these Interim Temporary Dining Tent & Sign Bylaw Amendments is to protect the general public welfare and provide for orderly physical and economic recovery for the Town of Waterbury during the COVID 19 pandemic. This bylaw facilitates outdoor dining, allowing restaurants/bars to serve the general public meals and beverages, to promote their services and products, and to advertise the fact that they are open for business during the period of time that the recovery from the COVID pandemic takes place.

Section 1602 Applicability

(a) These interim bylaws apply to all restaurants/bars that are currently permitted in the Town of Waterbury.

Section 1603 Temporary Uses and Structures

The following bylaws amend Section 305, Temporary Uses and Structures:

(a) Commercial tents may be erected in outdoor locations on the premises of the restaurants/bars for the purpose of outdoor dining and the consumption of beverages, including alcohol, with the following conditions:
1. outdoor entertainment or amplified music shall not be allowed without the issuance of an Entertainment Permit by the Town of Waterbury; 2. all required other permits for the use of the temporary tents shall be obtained, including but not limited to those from the Vermont Department of Health, the Vermont Department of Labor, and the Vermont Division of Liquor Control.

Section 1604 Exemption

The temporary dining tents and temporary banners, while the banners are subject to all general provisions of Article VIII of the Waterbury Zoning Regulations which regulate signs, may be erected without a permit provided they comply with the following provisions:

(a) **Size, location, and maintenance:** The tents may be erected on exiting decks, patios, and parking areas, provided that alternate locations are provided for parking with adequate signage directing patrons to those parking locations. There is no minimum or maximum size for the temporary dining tents.

Setbacks shall not apply to these tents with the condition that that the tents do not block the sight distance at any vehicular entrance to the parcel or circulation routes for parking areas located on the parcel. One or more tents are allowed for each permitted restaurant/bar located on a parcel. Any tent erected under these bylaws shall be maintained in good condition without any torn fabric.

The maximum size for each banner shall be no greater than 16 square feet, with minimum dimensions of 2 feet by 2 feet. Each banner shall be located on the temporary tent, the façade of the principal building where the business is located, or on the facade of an accessory building on the same parcel as the restaurant/bar being promoted. There shall be no more than one banner for each restaurant/bar located on a parcel. Banners displayed as freestanding ground signs shall be prohibited. Any banners displayed under these bylaws shall be maintained in good condition without any torn fabric.

- (b) **Design guidelines:** The graphic design for each banner shall be in conformance with the *Waterbury, Vermont Brand Guidelines* available at https://revitalizingwaterbury.org/uploads/files/Waterbury%20Brand%20Standards_2019_lores.pdf and the attached Banner Design Guide Supplement.
- (c) **Effective period:** These temporary dining tents and banners may remain in place for the duration of the effective period of this interim bylaw that will be in effect for two years from the date of adoption by the Select Board that is _____, 2020, with the option of a one year extension that will also require adoption by the Select Board. Any temporary tents and banners in place under these bylaws shall be removed no later than the expiration date of these interim bylaws.

Section 1505 Enforcement

Enforcement of these Interim Bylaws shall be as provided for in 24 V.S.A. Chapter 117, §4451, and Section 310 of the Waterbury Zoning Regulations as amended through May 16, 2016.

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Banner Design Guideline Supplement

The following guidelines are intended to complement and extend beyond the *Waterbury Brand Guidelines* to provide additional uniformity in banners.

To this end, the following standards will apply to banners:

- (1) Banners must have a solid background color, which must be one of the colors defined in the Historic Pallet, Brightened Historic Pallet, or Waterbury Works Pallet.
- (2) All text on the banner (unless included in (4) below) must be in white, black, or a tan or grey defined in Brand Guidelines. All text must be the same color throughout the banner.
- (3) No more than three separate blocks of text may appear on the banner. Text must be in Trend Slab, Trend Sans, or Minion Pro font.
- (4) Up to 50% of the total banner may be used for a business name and/or logo which does not conform to the above standards. The 50% area will be determined by the size of the geometric shape that contains all aspects of the logo and associated non-brand text.

Samples of banners that conform to the above standards can be found on the following page.

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Sample Banners that Conform to the Banner Design Guideline Supplement

