

CITY OF NEWTON
IN BOARD OF ALDERMEN
ORDINANCE NO. A-13

March 18, 2013

BE IT ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2012, as amended, be and are hereby further amended with respect to Chapter 30 as follows:

- I. Delete sections 30-11(a)(9), 30-11(d)(9), 30-13(c)(11), 30-13(e)(12), and 30-19(d)(13) in their entirety and insert in place thereof the following:

Sec. 30-11 (a)(9)

“Restaurants having not more than 50 seats, excluding any additional outdoor sidewalk seats permitted under section 12-70 of these ordinances, which are not opened between the hours of 11:30 p.m. and 6:00 a.m., and further provided that such restaurants are not fast food establishments;”

Sec. 30-11 (d)(9)

“Restaurants having over fifty (50) seats, excluding any additional outdoor sidewalk seats permitted under section 12-70 of these ordinances, which are not open for business between the hours of 11:30 p.m. and 6:00 a.m., except that such restriction as to hours of operation shall not apply to a hotel or motel restaurant;”

Sec. 30-13 (c)(11)

“Restaurants having not more than 50 seats, excluding any additional outdoor sidewalk seats permitted under section 12-70 of these ordinances;”

Sec. 30-13 (e)(12)

“Restaurants over fifty (50) seats, excluding any additional outdoor sidewalk seats permitted under section 12-70 of these ordinances, and such businesses which hold a Common Victualler – All Alcoholic or Common Victualler-Wine/Malt Beverages license issued by the licensing authority of the city;”

Sec. 30-19 (d)(13)

“One stall for each three (3) seats, permanent or otherwise, excluding any additional outdoor sidewalk seats permitted under section 12-70 of these ordinances, for patron use of restaurants and other places serving food or beverages”

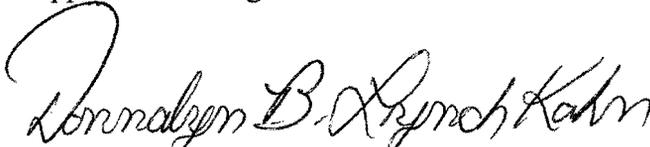
And

II. Amend Sec. 30-21 by adding a new paragraph (d) as follows:

“(d) Additional outdoor sidewalk seats permitted under section 12-70 of these ordinances shall not be considered an increase in the non-conformity of nor constitute an extension of use of a lawful non-conforming restaurant in any district.”

III. Re-letter existing paragraph (d) to (e)

Approved as to legal form and character:


DONNALYN B. LYNCH KAHN
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted
22 yeas 0 nays 1 absent (Alderman Rice) 1 vacancy


(SGD) DAVID A. OLSON
City Clerk


(SGD) SETTI D. WARREN
Mayor