

Outdoor Dining & Seating Requirements FAQ's
City of Northampton
updated May 2021

1. Is grass considered an accessible surface?

Grass surface is not considered accessible under the Massachusetts Architectural Access Board's rules and regulations (MAAB) and ADA Design Standards (ADADS). Matting surfaces can be used to allow access over a grassy surface. The mat would need to provide the appropriate width, be secured to the ground, and its surface would need to be solid and continuous.

2. Protruding objects would include tree limbs?

Yes, tree limbs can become protruding objects if they extend into an accessible route within the ranges discussed during the meeting

3. Do restaurants have to have accessible tables in the parklet if they have accessible tables on the sidewalk adjacent to the parklet?

On the technical side of things, it's truly a "depends". If the answer to the question, "*does this provide an experience that is different or unique*" is yes, then yes, an accessible table within the parklet should be provided even though there are tables immediately adjacent to the parklet.

4. Picnic tables - if they have clearance needed or a cut-out, is this acceptable for accessible tables even though it's fixed?

The distribution requirements under the MAAB require "accessible tables be distributed by size and location throughout...". So, again, on the technical side, accessible tables need to be distributed by location, but also need to be distributed by size. This means if you offer 2, 4, or 6 person tables, then the distribution must also meet that standard as well.

- a. For example, if you only have 2 person seats at the establishment, then a picnic table for 6 people, would not meet the technical requirement.
- b. Typically, pedestal tables may meet the requirements just as easily and establishments should check to see if their pedestal tables meet the criteria before investing in other seating options.

5. In some towns, they make the sidewalks all for dining and create a pedestrian route in the street with Jersey barriers. However, you can't get up to each section of the sidewalk to go to the restaurants in between.

If the outdoor dining, due to sidewalk width, takes over the sidewalks for this purpose, along with the accessible route being created "on-street" for people to access the restaurants or to pass by, there needs to be an accessible route that coincides with that of the general public.

- a. For example, if someone traversing on-street is trying to access a sidewalk for a particular establishments outdoor dining, or an actual retail store unrelated to outdoor dining, and if the general public can access those establishments by stepping up onto the sidewalk, then there would need to be a corresponding accessible route provided.
- b. While in this example, the technical codes would require a route that might include a curb cut or ramp; if a temporary ramp is being used to overcome those changes in level, a variance from the MAAB would be required.

6. Reserving accessible tables is not required though, is it?

While the technical codes do not require a policy, the intent of the discussion related to this topic was to try to draw attention to the limited numbers of accessible tables vs non-accessible tables. A policy helps ensure the availability vs demand for the accessible tables. A policy would provide positive outreach along with, to the best of the establishments ability, show a good faith effort regarding this newly, and widely, implemented program of outdoor dining.

7. What about outdoor dining pods referred to as “igloos”. What about the 4” or so “step” to enter the pod to get over the plastic separator.

The 4” step that is needed to enter the igloo would be considered a barrier. In addition, there are some maneuvering concerns and adequate headroom concerns with the particular igloo displayed in the image on the slide.