



**MEMORANDUM**

**FROM:** CHRIS SPENCER, COMMISSIONER *Chris Spencer*  
**DATE:** JUNE 5, 2020  
**SUBJECT:** EXPANSION ON OUTDOOR DINING GUIDANCE

**New York State Liquor Authority Guidance on Outdoor Expansion of Licensed Premises in Response to COVID-19 Outbreak**

Effective Thursday, June 4, 2020

Pursuant to the Governor's order, effective Thursday, June 4, 2020, all liquor licensees in Albany which have on-premises service privileges under the Alcoholic Beverage Control Law (ABC Law) may, subject to the guidance below, resume outdoor, on-premises service of alcoholic beverages and/or food. This guidance shall continue until July 3, 2020 but may be extended or reduced depending upon the circumstances.

The State Liquor Authority offers the following guidance:

**Consumption:**

- Any consumption of food and/or beverage must happen in outdoor, open-air areas, without a fixed roof (besides a temporary or seasonal awning or cover).
- Any consumption of food and/or beverage must happen while seated at a table, bar, counter, or similar contrivance.
- All tables must be 6 feet apart; any seat at a bar, counter, or similar contrivance must be 6 feet apart.
- All staff of the licensed business must wear face masks at all times.
- All customers must wear face masks at any time they are not seated.

**Expansion of Premises:**

- a licensee may use any contiguous outdoor, open-air part of its existing premises for which it has control by deed, lease, management agreement, or other agreement of control (e.g., a municipal sidewalk cafe permit).
- Any licensee that expands its premises pursuant to the immediately foregoing paragraph shall within 5 business days of doing so submit an updated diagram to the [State Liquor Authority SLA](#) — Please include your license serial number in the subject line. Failure to do so shall subject a licensee to disciplinary charges for illegal extension of premises.
- Live entertainment is not permitted in these areas.

**Expansion of Premises to Municipal Property**

- Should you elect to expand your service area onto municipal property adjacent to your property, you may do so pursuant to the Mayor's executive order. Please email [dpd@albanyny.gov](mailto:dpd@albanyny.gov) in order to confirm your use of municipal property so that we can plan accordingly.
- Please be sure to keep at least four feet of sidewalk area clear in order to accommodate pedestrians.
- Please bring any tables/chairs inside at the end of each night of service.