

# Manhattan Community Board 4

(All Fields Must Be Completed)

## NYS Liquor License/DOT Dining Out Stipulations Application

<b>CORPORATION NAME</b>		<b>DOING BUSINESS AS (DBA)</b>	
Times Square 46 Restaurant Corp		Sicily	
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>	<b>ZIP CODE</b>
330 West 46th Street NY NY		between 8th ave and 9th ave	10036
<b>Applicant</b> <i>(Attach a list of all individuals that will be listed/associated with the license)</i>	<b>NAME:</b> Robert Malta	<b>ATTORNEY/ REPRESENTATIVE</b>	<b>NAME:</b>
	<b>PHONE:</b> 917-567-1060		<b>PHONE:</b>
	<b>EMAIL:</b> rmalta@aol.com		<b>EMAIL:</b>
<b>MANAGER</b>	<b>NAME:</b>	<b>LANDLORD</b>	<b>NAME:</b> Robert Malta
	<b>PHONE:</b>		<b>PHONE:</b> 917-567-1060
	<b>EMAIL:</b>		<b>EMAIL:</b> rmalta@aol.com
<b>APPLICATION TYPE ( ___ New York State Liquor License    <u>  x  </u> Dept. of Transportation Dining Out )</b>			
<input type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<b>YES</b>	<b>NO</b>
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input checked="" type="radio"/> <b>Corp</b> <b>Change/Class</b> <b>Change/Method of</b> <b>Operation</b> <b>Change/Removal</b>	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	<b>YES</b>	<b>NO</b>
	If alterations or operational changes are being made, please describe/list all changes. addition of roadway seating		
<input type="radio"/> <b>Alteration</b>	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
<b>METHOD OF OPERATION</b>			
<b>TYPE OF ALCOHOL</b>	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
<b>ESTABLISHMENT TYPE</b>	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization – Members Only)		
Has applicant filed with the SLA? If yes, when? If no, when does applicant plan to file?		<b>YES</b>	<b>NO</b>
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.		<b>YES</b>	<b>NO</b>
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship within a 200 foot radius of the establishment.		<b>YES</b>	<b>NO</b>
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<b>YES</b>	<b>NO</b>

**OPERATIONAL DETAILS (\*Closing time will be when establishment is vacated of all patrons)**

HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Indoors	12pm-11pm	12pm-11pm	12pm-11pm	12pm-11pm	12pm-12am	12pm-12am	12pm-11pm
	Outdoors	12pm-11pm	12pm-11pm	12pm-11pm	12pm-11pm	12pm-12am	12pm-12am	12pm-11pm
	Kitchen	12pm-11pm	12pm-11pm	12pm-11pm	12pm-11pm	12pm-12am	12pm-12am	12pm-11pm
	Music (indoors)	12pm-11p	12pm-11pm	12pm-11pm	12pm-11pm	12pm-12am	12pm-12am	12pm-12am

If yes, what type(s)? (Circle all that apply)	BACKGROUND	LIVE MUSIC	DJ	JUKE BOX	KARAOKE
--	------------	------------	----	----------	---------

OCCUPANCY								
	Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (Including Employees)	Number of Tables	Number of Seats	Number of Service-Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar	
INSIDE		100	40	120	0	1	8	
OUTSIDE <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>								
DOT Dining Out: Sidewalk Cafe								
DOT Dining Out: Roadway			6	24				

How frequently will the owner(s) be at the establishment?	weekly. will be overseen daily by a manager	
Will there be dancing?	YES	NO no
Will applicant have bottle or table service for alcohol beverages other than wine?	YES	NO yes
Will applicant be hosting private promotional or corporate events?	YES	NO n/a
Will outside promoters be used on a regular basis? If yes, please describe.	YES	NO
Will applicant have a security plan? If yes, please attach.	YES	NO
Will security plan be implemented?	YES	NO
Will State certified security personnel be used?	YES	NO
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	NO
Does applicant agree to notify MCB4 prior to making changes to its method of operation?	YES	NO yes
Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?	YES	NO no

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly marked with the name as described by NYC Law?	YES	NO	n/a
Where will applicants' own delivery bicycles be parked when not making deliveries?			
If applicant is using third party delivery service, where will third party delivery bicycles park?			
Where will applicant store its garbage containers when not in use?			
Where will applicant lay out garbage containers and at what time?			

### LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	no
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	YES	NO	
Is a Public Assembly permit required?	YES	NO	
Are your plans filed with DOB?	YES	NO	
What is the zoning designation for this location?			

### Community Notification/Relations

<b>NOTIFICATION:</b> List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each, please list both the organization and individual you contacted.	# 1	sent via email	
	# 2	posted in window of restaurant entrance	
	# 3	provided to residential building	
	# 4		
	# 5		
When did applicant post the notice that was provided?	12/3/2024		
Where did applicant post the notice that was provided?	window near entrance of restaurant		
Please provide dates when applicant met with the groups listed above.	notice sent via email		
Who was your contact person at each group you met with?	contact list provided by community board		
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.	YES	NO	no manager can be contacted at restaurant
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?	YES	NO	no

MULTIPLE SPACES/FLOORS BREAKDOWN								
Space/Floor	Description/ Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service- Only Bars	# of Stand-Up Bars/Seats at Bar	Music

## BUILDING DESIGN

State the name and type of business previously located in the space.			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	YES	NO	
Is the entrance ADA Compliant?	YES	NO	yes
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no
Will applicant have a vestibule within the establishment?	YES	NO	yes at main entrance to restaurant
Will applicant use a storm enclosure?	YES	NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	yes
Will applicant comply with the NYC noise code?	YES	NO	yes
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS      WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	yes
Will applicant close all windows, French doors, garage doors by 11 p.m. Friday and Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment?	YES	NO	yes
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	no
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	
Will the kitchen exhaust system extend to the roof?	YES	NO	yes
Will the establishment have an illuminated sign?	YES	NO	no
Will the establishment have a pole-supporting canopy extending over the sidewalk?	YES	NO	no
Where will the air conditioner be located? What type is it?			
When was the air conditioner installed?			

**OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE**

Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? If yes, which one(s)?	YES	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants; apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

## DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK

Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	
<b>If you answered no to the question above, jump to the next page</b>			
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	
Will the sidewalk seating have a platform?	YES	NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8-foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?			

DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY			
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	yes
<b>If you answered no to the question above, jump to the next page</b>			
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	NO	no
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO	yes
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO	no
Will the electric wires be brought over at the roof level?	YES	NO	no
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO	yes
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO	no music
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	yes
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	yes
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO	drinks served with seated meals
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO	yes
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	drinks only at tables with meals
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	yes
Will applicant permit NO wait lines or smoking outside?	YES	NO	no
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	yes
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	yes
Will applicant permit NO wait lines or smoking outside?	YES	NO	no
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	yes
Will applicant agree not to use propane heaters?	YES	NO	yes
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	no



**ADDITIONAL STIPULATIONS: (Office Use Only)**




***To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.***

**ADDITIONAL STIPULATIONS: (Office Use Only), *Continued***

***To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.***

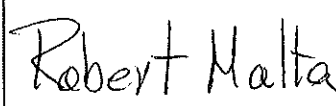
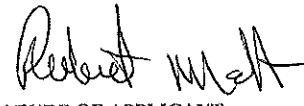
Manhattan Community Board 4 (MCB4) recommends: <i>(MCB4's recommendation is based on a vote taken at its January 6, 2025 full board meeting, with 39 members voting in favor of the recommendation, 1 members opposed, 0 members abstaining and 0 present but not eligible)</i>	<input checked="checked" type="checkbox"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation  <input type="radio"/> Denial <input type="radio"/> Approval
--	---

### MCB4 REPRESENTATIVES

 Nelly Gonzalez MCB4 Assistant District Manager	 Frank Holozubiec MCB4 BLP Committee Co-Chair	 Burt Lazarin MCB4 BLP Committee Co-Chair
--	--	--

### APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.

<b>SIGN HERE</b> →	 PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	1/23/25 DATE
--------------------	--	--	-----------------



Eric Adams  
Mayor  
Ydanis Rodriguez  
Commissioner

# COMMUNITY BOARD FEEDBACK PACKAGE

**Please review this application and provide the required feedback.**

Manhattan Community Board 4's (MCB4) recommendation is based on a vote at its January 6, 2025 Full Board Meeting with 39 members in favor of the recommendation, 1 member opposed, 0 members abstaining and 0 present but not eligible.

DINING OUT NYC

COMMUNITY BOARD RECOMMENDATION FORM

This form is to be used by community boards during the cafe review process. Any comments from the community board should be recorded on this form and submitted to NYC DOT. For information pertaining to specific cafe design requirements, visit the Dining Out NYC website for program legislation, rules, and Setup Guides.

**Business Name:** Sicily

**Cafe Location:** 328 W 46TH ST, NEW YORK, NY, 10036

**Application Number:** 20240717010008

**CB Review Period:** 30 days from receipt of application - due on business days

NYCDOT Internal Use Only

Roadway Cafe Setup Comments:

Comments related to the cafe's **physical footprint and dimensions**:

Comments related to **pedestrian flow** (i.e., visibility, safety , potential crowding):

Comments related to potential conflicts with **existing curb use** (i.e., planters, bike racks, bus stops):

Overall recommendation for the cafe setup:

Suggested modifications related to the above referenced application:

## RESTAURANT DETAILS

Food Service Establishment Permit(FSEP)

FSEP#: 50116779

Expiration Date: 10/31/2025

DOHMH Status: CURRENT

Business Legal Name: TIME SQUARE 46 RESTAURANT CORP

Assumed Name: Sicily

Business Address: 328 W 46TH ST, NEW YORK, NY 10036

Venue Type: Restaurant (with bar)

Last updated from DOHMH: 11/22/2024

### Restaurant Information

Entity Type: Corporation

Phone: (646) 609-3417

Email Address: nycrg12@gmail.com

Secondary Email Address: rmalta@aol.com

### DOS Information

DOS ID#: 5771199

Process Name: Restaurant

DOS Address: 328-330 West 46th Street, New York, New York 10036

### NYS Liquor Authority Information

NYSLA Serial No: 1332546

License Type: On-Premises

Name of License: Times Square 46 Restaurant Corp

Title of Representative: President

Name of Certificate Holder: Diego Emelte

### User Information

Created By: Offer Sharaby

Created On: 7/9/2024 4:16:48 PM

Modified By: Offer Sharaby

Modified On: 7/9/2024 4:16:48 PM

### Business hours

Sun: 11:00 AM- 10:00 AM

Mon: 12:00 PM- 11:00 AM

Tues: 12:00 PM- 11:00 PM

Wed: 12:00 PM- 11:00 PM

Thurs: 12:00 PM- 11:00 PM

Fri: 12:00 PM- 11:00 PM

Sat: 11:00 AM- 11:00 PM





## SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Roadway Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

### Identify Permitted Parking Location:

- Identify the Parking Sign in front of or around the area where your roadway setup would be located.
- Roadway cafes can only be placed in:
  - Parking spaces, which include: metered and non-metered spaces, commercial parking, alternate side parking, angled parking, and seasonally restricted parking.
  - Loading areas, including loading only, truck loading, hotel loading, and no parking zones.
  - Floating Parking Lane- a parking lane that is separated from the curb by a protected bicycle lane that is adjacent to the curb.

- ☒ P1- Parking Space  
☐ P2- Loading Area  
☐ P3- Floating Parking Lane

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

Length of roadway cafe: 37 feet      Width of roadway cafe: 7 feet



## Roadway Cafe Site Plan Form

Applicant Name: ROBERT MALTA

Restaurant Name: TIMES SQ 46 RESTAURANT CORP  
DBA: SICILY

FSEP Number: 50116779

### Drawing Requirements

#### Food service establishment frontage shown as:

- Line representing the establishment's space facing the sidewalk
- Length
- Label

#### Street names:

- Labels on each street

#### Sidewalk shown as:

- Line representing street curb

#### Roadway shown as:

- Width of curbside lane

#### Cafe perimeter shown as:

- Lines indicating perimeter
- Length and width

#### Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

#### Elements (in Section 2 of this form) within 15 feet of cafe perimeter, shown as:

- Lines or symbols
- Distance from cafe perimeter
- Labels

#### Utility coverings (water/gas valves, and pull boxes) shown as:

- Symbols representing the location within the setup

#### North arrow



## SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

### Elements with minimum 15 feet clearance from roadway cafe:

☐ R01- Subway Stair: Open End NA feet ☐ R02- Fire Hydrant NA feet

### Elements with minimum 10 feet clearance from roadway cafe:

☐ R03- Subway Elevator Entrance NA feet ☐ R05- MTA Curb Cut NA feet  
☐ R04- FDNY Curb Cut NA feet

### Elements with minimum 5 feet clearance from roadway cafe:

☐ R06- Curb Cut NA feet ☐ R11- CitiBike/Bike Share Station NA feet  
☐ R07- Emergency Exit Hatch NA feet ☐ R12- Bike Corral NA feet  
☐ R08- Subway Stair: Closed End NA feet ☐ R13- Micromobility Station NA feet  
☐ R09- Subway Elevator: Non-Entry NA feet ☐ R14- Drainage Infrastructure NA feet  
☐ R10- Bus Stop Pole:  
Non- Approaching Side NA feet

### Elements with minimum 3 feet clearance from roadway cafe:

☐ R15- Elevated Train Infrastructure NA feet ☐ R16- Transformer Vault NA feet

### Elements with minimum 1 foot and 6 inches clearance from roadway cafe:

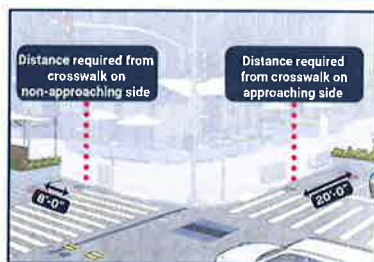
☐ R17- Vent Infrastructure: utility vent poles, vent grates, subway grates NA feet ☒ R18- Manholes 28.5 inches

### Elements with minimum 6 inches clearance from roadway cafe:

☐ R19- Thermoplastic Marking NA feet

### Roadway cafe distance from crosswalks:

☐ R20- Adjacent to non-approaching side of crosswalk (min. 8 foot distance) NA feet  
☐ R21- Adjacent to approaching (stopping) side of crosswalk (min. 20 foot distance) NA feet  
☐ R22- No crosswalk present (maintain 20 feet from curb line of intersecting street) NA feet



☐ Check this box if none of the objects listed above are within 15 feet of the proposed setup.

## SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your roadway cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

### Materials Checklist:

#### \*Required\*

#### ☒ Barriers (All of the following must be met)

- ☒ Maintained on all sides of the cafe except the side fronting the ground floor restaurant.
- ☒ Not permanently affixed to the roadway.
- ☒ 30-42 inches tall (excluding planting), and at least 4 inches in width.
- ☒ Barriers are interconnected with each other.
- ☒ Any cladding over the barriers is securely fastened or affixed.
- ☒ Minimum 4 inches wide reflective strip on each barrier on the outward facing side.
- ☒ Water-filled with a minimum of 150 pounds per linear foot of barrier length.

#### \*Optional - Only check the material categories you intend to use in your roadway cafe\*

#### ☒ Flooring (if using, all of the following must be met)

- ☒ Durable, lightweight, easily removable, mold-resistant, elevated from the ground level to allow for drainage, and removable to allow for cleaning.
- ☒ Flush with the curb line (except if located on a slope, be flush to the greatest extent feasible), and compliant with applicable accessibility requirements.
- ☒ Maintains a 6 inch covered channel between curb and base of flooring to allow for drainage.

#### ☐ Furnishings (if using, all of the following must be met)

- ☒ Lightweight and easily movable.

#### ☐ Vertical Screenings (if using, all of the following must be met)

- ☐ Located between the barrier and 6 feet above the cafe base or floor.
- ☐ Located on the roadway facing side, does not extend beyond the perimeter of the roadway cafe, and is not affixed to the outward facing side of barriers.
- ☐ Easily removable, comprised of non-opaque, fire-grade, and wind resistant materials.
- ☐ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.

#### ☐ Overhead Coverings/ Umbrellas (if using, all of the following must be met)

- ☐ Minimum of 7 feet and maximum of 10 feet from the base or floor of the roadway cafe.
- ☐ Has a weighted base and any support structures are not affixed to the outward facing side of barriers, are of sufficient size and strength, made of durable materials, and free of defects.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.

#### ☐ Lighting and Electrical Connections (if using, all of the following must be met)

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ At least 14 feet above sidewalk, and 18 feet above roadway.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in DOT's rules and the New York City Electrical Code. Please note that this may require additional permits from DOB or FDNY, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.