



Dear restaurateurs and hoteliers,

The Indiana Alcohol and Tobacco Commission just sent new guidance regarding outdoor dining that we thought would be important for you all to know as you head into the weekend. That guidance can be found below:

- **Can a restaurant expand the foot print of its restaurant by increasing the size of the patio?**
 - Yes as long as the restaurant continues to limit seating capacity to 50% of the original seating capacity of the restaurant, spaces the tables at least 6 feet apart, limits parties to 6 people or less, and only provides table service.
- **Can a restaurant expand the seating capacity of its restaurant during Stage 2 and Stage 3?**
 - No.
- **Can a restaurant add a patio area if the restaurant did not previously have a patio area?**
 - Yes as long as the restaurant continues to limit seating capacity to 50% of the original seating capacity of the restaurant, spaces the tables at least 6 feet apart, limits parties to 6 people or less, and only provides table service.
- **Can a restaurant expand a patio area into the right-of-way including a sidewalk or closed street?**
 - Yes, if the restaurant has permission from the local unit of government and follows the other requirements of the executive order.
- **How do I notify Indiana State Excise Police about my amended floor plan?**
 - Send your amended floor plan to the district commander of the Excise district where your establishment is located. Information on Excise districts can be found here:
 - District 1 – ncanal@atc.in.gov
 - District 2 – krinehart@atc.in.gov
 - District 3 – kakers@atc.in.gov
 - District 4 – blang@atc.in.gov
 - District 5 – tthickstun@atc.in.gov
 - District 6 – jlang@atc.in.gov
- **How do I indicate the new foot print of my patio area?**
 - The temporary patio area must be delineated in some manner by rail, wall, or hedge. The delineation may be a temporary structure while the executive order is in place limiting the seating capacity of the restaurant.
- **Can I add an outdoor bar to my patio?**
 - No. Outdoor bars are not allowed for many permit types. Additionally, bar areas must remain closed during Stage 2. Alcoholic beverage service on patios should be through table service only.

Have a great weekend!

Sincerely,
Patrick Tamm