

TOWNSHIP OF CHESTERFIELD

RESOLUTION 2020-6-4

RESOLUTION AUTHORIZING TEMPORARY OUTDOOR DINING AND NON-ENFORCEMENT OF CHAPTER 66 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED “ALCOHOLIC BEVERAGES”

WHEREAS, the Township Committee of the Township of Chesterfield acknowledges that the State of New Jersey is facing unprecedented times as a result of the novel coronavirus (“COVID-19”); and

WHEREAS, on March 9, 2020, the Governor issued Executive Order 103, declaring a State of Emergency and Public Health Emergency throughout the State of New Jersey as a result of the COVID-19 coronavirus pandemic; and

WHEREAS, on March 16, 2020, the Governor issued Executive Order 104, limiting the scope of service and hours of operation for restaurants and certain retail establishments to balance the need to allow individuals to access food and other essential materials with the need to limit unnecessary person-to-person contact; and

WHEREAS, on March 21, 2020, the Governor issued Executive Order 107, expanding social distancing regulations and further limiting the scope of service for restaurants to offering only food delivery and/or take-out services in accordance with their existing liquor licenses; and

WHEREAS, on June 3, 2020, the Governor issued Executive Order 150, permitting outdoor dining services at restaurants with or without a liquor license, beginning on June 15, 2020, with continued adherence to state and federal safeguarding guidelines; and

WHEREAS, the Department of Health issued Executive Directive 20-014 establishing protocols restaurants offering outdoor dining services pursuant to Executive Order 150 must adhere to, including but not limited to, limiting seating to a maximum of eight (8) customers per

table and arrange seating to maintain six feet (6) between parties, prohibiting patrons from entering the indoor premises of a restaurant, except to walk through such premises when entering or exiting the restaurant in order to access the outdoor area, or to use the restroom, and requiring patrons to wear a face covering while inside or away from their table unless the patron has a medical reason for not doing so; and

WHEREAS, the Division of Alcoholic Beverage Control has created a temporary permit, known as the COVID-19 Expansion of Premises Permit, to all licensees and permittees with on-premises retail consumption privileges to expand their licensed premises into outdoor areas, either contiguous or non-contiguous to their permanently licensed premises until November 30, 2020; and

WHEREAS, Executive Order 150 permits municipalities to use their existing authority to allow restaurants to expand their footprint to outdoor areas, including but not limited to sidewalks, streets, or parks; and

WHEREAS, the Code of the Township of Chesterfield, Chapter 66 Section 28, prohibits the consumption of alcohol on any public street, lane, sidewalk, public parking lot or other outdoor public place or area; and

WHEREAS, the Township Committee finds it necessary and appropriate to temporarily allow outdoor dining located within the Township, subject to specific limitations, and temporarily refrain from enforcement of Chapter 66 Section 28 of the Code, during the State of Emergency and Public Health Emergency, to assist business owners in safely resuming dine-in services.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, authorizes temporary

outdoor dining for restaurants within the Township pending the adoption of Ordinance 2020-7 and the appropriate application submissions to Township officials demonstrating the necessary compliance; and

BE IT FURTHER RESOLVED the Township will refrain from the enforcement of Chapter 66 Section 28, prohibiting the consumption of alcoholic beverages on any public street, thoroughfare, park, square, parking lot or other outdoor public place or area until November 30, 2020.

BE IT FURTHER RESOLVED Any temporary outdoor dining permitted within the Township shall be maintained, and operated in accordance with Executive Order 150, the State of New Jersey Department of Health Executive Directive 20-014, the New Jersey Division of Alcoholic Beverage Control SR 2020-10 Special Ruling Establishing Temporary COVID-19 Permit to Expand Licensed Premises and any other Rules and Regulations that may be required by various Township officials.

CHESTERFIELD TOWNSHIP COMMITTEE

~~~~~

I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on June 11, 2020 at which a quorum was present.

Caryn Hoyer, RMC  
Township Clerk