



Township of Hillsborough

COUNTY OF SOMERSET
THE PETER J. BIONDI BUILDING
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Resolution Authorizing the Processing and Issuance of Zoning Permits for Outdoor and In Vehicle Dining and Beverage Service at Existing Local Food Establishments, Restaurants and Bars

WHEREAS, on March 9, 2020, Governor Murphy executed Executive Order 103 declaring a statewide State of Emergency due to the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Murphy executed Executive Order 104 limiting all restaurants, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, to offering food delivery and/or take-out services only, meaning that they could not allow the on-premise consumption of food or beverages; and

WHEREAS, since March 16, 2020, existing local food establishments, restaurants and bars have been limited to offering food delivery and take our service only, resulting in significant financial loss and hardship to these establishments, their employees and vendors; and

WHEREAS, on June 3, 2020, Governor Murphy executed Executive Order 150 to permit as of 6:00 a.m. on Monday, June 15, 2020, restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail consumption privileges to offer in-person service at outdoor areas provided that the establishment complies with the requirements set forth in Executive Order 150, health and safety standards issued by the Commissioner of the New Jersey Department of Health and local requirements; and

WHEREAS, on June 3, 2020, the Commissioner of the New Jersey Department of Health executed Executive Directive 20-014 "COVID-19 Protocols For Food Or Beverage Establishments Offering Service In Outdoor Areas Pursuant to Executive Order No. 150" establishing health and safety standards for outdoor food and beverage service; and

WHEREAS, on June 3, 2020, the Acting Director of the New Jersey Division of Alcoholic Beverage Control executed SR 2020-10 "Special Ruling Establishing Temporary COVID-19 Permit To Expand Licensed Premises" to enable licensees and permittees to expand their licensed premises into outdoor areas, either contiguous or non-contiguous to their permanently licensed premises; and

WHEREAS, the Township Committee, in recognition of the significant financial loss and hardship incurred by existing local food establishments, restaurants and bars, and their employees and vendors, due to the COVID-19 pandemic and restrictions placed upon their operations related thereto, hereby authorize the issuance of "Temporary Outdoor Dining Permit Applications" through the Zoning Department, through an expedited review process, to expand and permit outdoor dining and beverage service at these establishments to the extent consistent

with the preservation of the public health, safety and welfare of its residents and consistent with Township Ordinance 188-78F, Governor Murphy's Executive Order 150, the Commissioner of the New Jersey Department of Health Executive Directive 20-014 "COVID-19 Protocols For Food Or Beverage Establishments Offering Service In Outdoor Areas Pursuant to Executive Order No. 150" and the Acting Director of the New Jersey Division of Alcoholic Beverage Control SR 2020-10 "Special Ruling Establishing Temporary COVID-19 Permit To Expand Licensed Premises" and any subsequent Orders or Directives promulgated thereto; and

WHEREAS, the Township Committee in recognition of the significant financial loss and hardship incurred by local food establishments, restaurants and bars during this pandemic, desires to waive the fee for said Temporary Outdoor Dining Permits.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) the Zoning Officer is hereby authorized to process and issue Temporary Outdoor Dining Permits consistent with Township Ordinance 188-78F, Governor Murphy's Executive Order 150, the Commissioner of the New Jersey Department of Health Executive Directive 20-014 "COVID-19 Protocols For Food Or Beverage Establishments Offering Service In Outdoor Areas Pursuant to Executive Order No. 150" and the Acting Director of the New Jersey Division of Alcoholic Beverage Control SR 2020-10 "Special Ruling Establishing Temporary COVID-19 Permit To Expand Licensed Premises" and any subsequent Orders or Directives promulgated thereto; (2) the Temporary Outdoor Dining Permits shall be effective no earlier than the June 15, 2020 date set forth in Governor Murphy's Executive Order 150; (3) the Temporary Outdoor Dining Permits shall expire upon the earlier of December 31, 2020 or the release of restrictions permitting the existing local food establishment, restaurant or bar to resume indoor dining and beverage service at preexisting and approved seating and occupancy levels; and (3) the fee for the Temporary Outdoor Dining Permits is hereby waived.

I, Pamela Borek, Township Clerk, hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Township Committee of the Township of Hillsborough at a regular and duly convened meeting held on June 9, 2020. In witness thereof, I have set my hand and affixed the seal of the Township of Hillsborough this 10th day of June 2020.

Pamela Borek
