



**BOROUGH OF BELMAR
EXECUTIVE ORDER No. 2020-02
BELMAR OUTDOOR DINING**

Whereas, the Borough of Belmar is making efforts to revitalize the local economy as we begin to recover from the devastating economic impact of the COVID-19 crisis; and

Whereas, the State of New Jersey has authorized bars and restaurants to allow outdoor dining and consumption of alcoholic beverages (collectively referred to herein as "Outdoor Dining") with certain conditions as of June 15, 2020; and

Whereas, Outdoor Dining can only be allowed where public safety can be protected; and

Whereas, the Borough recognizes that the impact of Outdoor Dining on surrounding property owners must be minimized, to the best extent possible.


NOW, THEREFORE, I, MARK WALSIFER, MAYOR OF THE BOROUGH OF BELMAR, DO HEREBY ORDER AS FOLLOWS:

1. In accordance with Governor Murphy's transition into Stage 2 of the statewide recovery from the COVID-19 pandemic, local restaurants and bars will be allowed to provide Outdoor Dining as of 6:00 a.m., Monday, June 15, 2020, subject to the rules established by State of New Jersey Executive Order No. 150 and this Executive Order.
2. Before being allowed to commence Outdoor Dining, an Outdoor Dining Permit Application (the "Permit Application") must first be filed with the Borough of Belmar. The Permit Application can be obtained from the Borough website.
3. Along with the Permit Application, the establishment owner must provide a sketch of the proposed Outdoor Dining Area. The sketch can be informally drawn, but must identify the following:
 - a. Location and dimensions of the proposed Outdoor Dining Area.
 - b. Location and dimensions of any tents or canopies to be placed in the Outdoor Dining Area.
 - c. Location and dimensions of all tables in the Outdoor Dining Area.
 - d. Dimensions of proposed aisles.
 - e. Location of ingress and egress from the Outdoor Dining Area.
 - f. Locations of ingress and egress from the restaurant for use of the bathroom.
 - g. Description and locations of exterior lighting fixtures in place and to be installed.
 - h. Description and location of barriers to protect the Outdoor Dining Area from the parking area and/or the street.
4. The Special Operations Director will review the Permit Application with all appropriate municipal departments and agencies. After reviewing the application, the Borough will advise the applicant what, if any, changes are required. If no changes are required, the

Outdoor Dining Permit will be issued.

5. Any outdoor cooking must adhere to the rules and regulations of and be inspected by the Monmouth County Health Department and the Borough of Belmar Fire Administration.
6. Excessive noise will not be tolerated. Mellow music will be allowed until 10:00 p.m. only. No live music.
7. Table service for all Outdoor Dining must stop by 10:00 p.m.
8. There shall be no table service of alcoholic beverages by the establishment, unless the appropriate approval to do so is first obtained from the Division of Alcoholic Beverage Control. To have table service, the establishment must first apply for a COVID-19 Expansion Permit through the State ABC's POSSE Online Licensing System ("POSSE") on or after Friday, June 5, 2020.
9. No BYOB is permitted in the extended Outdoor Dining Area or on any municipal property.
10. To the extent that a municipal ordinance prohibits the consumption of alcohol in any approved Outdoor Dining Area, said ordinance is temporarily waived until the expiration or revocation of this Executive Order.
11. Failure to abide by the requirements of the rules established by the State of New Jersey and this Executive Order may result in the revocation of the Outdoor Dining Permit.
12. Any establishment having Outdoor Dining on municipal property must, at the expense of the establishment, obtain Liability Insurance naming the Borough of Belmar as additional insured and held harmless and indemnified. Certificate of Insurance must be submitted.
13. The terms of this Executive Order shall only apply to establishments that have not already been approved for Outdoor Dining prior to the issuance of this Executive Order. Restaurants that have previously been approved shall abide by all terms and conditions of their prior approval for Outdoor Dining, subject to any restrictions imposed by the rules established by the State of New Jersey. If an establishment that has a prior approval that permits Outside Dining seeks to expand their Outside Dining Area, they must abide by all terms of this Executive Order.
14. It is recommended and encouraged that cell phones be used to contact patrons as tables become available to alleviate lines waiting to enter the Outdoor Dining Area.
15. The terms of this Executive Order shall expire on November 30, 2020, unless modified by a further Executive Order, legislation of the municipal Council or legislation of the State of New Jersey.

BE IT FURTHER ORDERED, this Executive Order shall take effect immediately.



Mark Walsifer, Belmar Mayor

Date 6-7-2020

Mayor Mark Walsifer
Council President Thomas Brennan
Councilman James McCracken
Councilwoman Patricia Wann
Councilman Thomas Carvelli
Administrator Edward Kirschenbaum



Borough of Belmar
601 Main Street
Belmar, NJ 07719
Phone: 732-681-3700
Fax: 732-681-3434
www.belmar.com

TEMPORARY OUTDOOR DINING APPLICATION (COVID-19)
Belmar Executive Order No. 2020-02

NO FEE REQUIRED

Date: _____

Name of Business: _____

Contact Person: _____

Business Address: _____

Phone: _____

Email Address: _____

Owner Name and Signature: _____

Hours of Operation for Outdoor Dining Area (Not after 10:00 p.m.): _____

Applications are currently being accepted and will be granted in accordance with Governor Murphy's Executive Order and Executive Directive attached to this application.

The following items must be included on a sketch/survey with this application:

1. Location and dimensions of the proposed Outdoor Dining Area:
2. Location and dimensions of any tents or canopies to be placed in the Outdoor Dining Area.
3. Location and dimensions of all tables in the Outdoor Dining Area. An additional permit/approval may be required for tents and canopies subject to Fire Marshal's review.
4. Dimensions of proposed aisles.
5. Locations of ingress and egress from the Outdoor Dining Area.
6. Locations of ingress and egress from the restaurant for use of the bathroom.
7. Description and locations of exterior lighting fixtures in place and to be installed.

8. Description and location of barriers to protect the Outdoor Dining Area from the parking area and/or the street.

There shall be no table-service of alcoholic beverages by the establishment, unless the appropriate approval to do so is first obtained from the Division of Alcoholic Beverage Control. To have table-service, the establishment must first apply for a COVID-19 Expansion Permit through the ABC's POSSE Online Licensing System ("POSSE") on or after Friday, June 5, 2020.

If the establishment obtains a COVID-19 Expansion Permit that will allow table service of alcoholic beverages, they are required to provide a copy of the permit to the Municipal Clerk's office.

BYOB of beer, wine and malt beverages shall not be permissible in the proposed Outdoor Dining Area or any municipal property.

Approvals:

Chief Tina Scott

Date Issued/Permit #

April Claudio
Municipal Clerk