

City of New Brunswick
Executive Order 2020-03

WHEREAS, restaurants are a vital and invaluable component of the City of New Brunswick's vibrant economy; and

WHEREAS, Governor Murphy has, effective June 15th, 2020, authorized restaurants and other eateries to re-open to patrons for outdoor seating only; and

WHEREAS, the measures that were implemented to combat Covid-19 via social distancing and reduced public activity have greatly affected the business model of all dining establishments; and

WHEREAS, the City's restaurants are small businesses that employ hundreds of the City's residents; and

WHEREAS, the City already has several regulations with respect to allowing for outdoor dining on sidewalks and other portions of the City's right of way; and

WHEREAS, the City of New Brunswick wishes to facilitate the efficient economic recovery for its restaurants; and

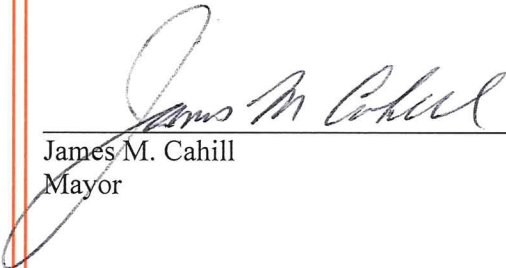
WHEREAS, the City of New Brunswick seeks to temporarily enact certain guidelines to better enable its eateries to succeed in the current environment.

NOW, THEREFORE, I, JAMES M. CAHILL, Mayor of City of New Brunswick in the County of Middlesex in the State of New Jersey, by virtue of the authority vested in me by the Constitution and Statutes of this State, do hereby establish the following guidelines:

1. Any food or beverage establishments seeking permission to use a sidewalk or outdoor area for customer seating are required to file a Sidewalk Café Application with the City of New Brunswick. The application requirement for notarization is hereby waived.
2. A restaurant may use up to 60% of its parking spaces to provide socially distanced outdoor seating.
 - a. Handicap parking spaces may not be blocked or used for this purpose.
 - b. Handicap parking spaces may be used for purposes of calculating the amount of spaces allowable under this Executive Order.
 - i. Example A: If a parking lot has ten (10) spaces and one (1) of the 10 is a handicap space. Then the calculation shall be for 60% of 10 spaces (six (6) spaces in this case) and the handicap space and its access aisle(s) shall remain unobstructed.
 - c. The applicant will submit a zoning permit for temporary use permit and the fee will be waived.
3. The consumption of alcoholic beverages will continue to be regulated by the New Jersey Alcohol Beverage Control Commission.
4. During George Street closures, restaurants and taverns may bring in the games below for patron entertainment as they can be played in a socially distanced manner, provided they are sanitized by the restaurant or tavern's staff before any new person uses the game and must be located at least 8 feet from any table:
 - a. Air Hockey
 - b. Shuffleboard
 - c. Bean Bag Toss (hand sanitizer must be available to all participants and they must use it after playing)
5. Any restaurant or tavern may place televisions in outdoor, sidewalk, and in street seating areas provided:
 - a. All televisions are turned off by 9:00 p.m. or by the close of outdoor business as determined by the Mayor's Executive Orders 2020-01 and 2020-02, whichever is more restrictive.
 - b. Any restaurant or tavern located greater than 250 feet from a residential zone may keep their televisions turned on until 12:00 a.m.
 - c. They do not block or overhang into the unobstructed pedestrian passage of 36 inches.
 - d. They do not encroach into City streets that are open to vehicular traffic.
 - e. Any and all cables are secured to avoid any tripping hazards.
 - f. They do not block any doors.
 - g. They do not block access to fire safety equipment or fire department connections.
 - h. All power cables must be plugged into a Ground-Fault Circuit Interrupter (GFCI) outlet.

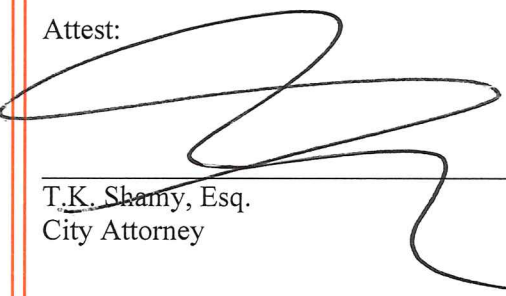
6. Restaurants and taverns in a non-residential zone may have outdoor music until 10:00 p.m. or the close of business, whichever is earliest.
 - a. This includes music played indoors that is played for the entertainment of outdoor patrons.
 - b. This applies to any restaurant or tavern on public or private property.
7. Restaurants and taverns in a residential zone may have outdoor music until 8:00 p.m. or the close of business, whichever is earliest.
 - a. This includes music played indoors that is played for the entertainment of outdoor patrons.
 - b. This applies to any restaurant or tavern on public or private property.
8. Businesses located on George Street located between Albany Street and Bayard Street are to comply with the following regulations with respect to garbage collection:
 - a. They must place their Friday garbage pickup on Church Street (only between George and Spring Street), Paterson Street, or Bayard Street (whichever is closest).
 - b. No garbage is to be placed out for Saturday collection.
 - c. They must place their Sunday garbage pickup on Church Street (only between George and Spring Street), Paterson Street, or Bayard Street (whichever is closest).
 - d. They must place their Monday garbage pickup on Church Street (only between George and Elm Row), Paterson Street, or Bayard Street (whichever is closest).
9. Any restaurant or tavern which receives approval of the above provisions must adhere to all of the Governor's Executive Orders that are in effect at any period of time including but not limited to Executive Order 150; Executive Directive No. 20-014 from the Department of Health; and Special Ruling 2020-10 Establishing Temporary COVID-19 Permits to Expand Licensed Premises issued by the Department of Law and Public Safety, Division of Alcoholic Beverage Control (attached).
10. Failure to adhere to any of the terms or provisions of this Executive Order, Governor's Executive Orders, or any statutes, regulations and ordinances may result in the temporary or permanent loss of the privilege extended by this Executive Order, or the approvals granted by the City.
11. Any and all of the above terms and provisions shall be subject to modification, alteration or rescission without notice and at the sole discretion of the City of New Brunswick.
12. This Executive Order shall take effect on Saturday, July 11, 2020 at 12:00 p.m. and shall remain in effect until November 30, 2020 or a time not to exceed 30 days after restaurants and taverns are permitted to operate at full occupancy, whichever is sooner.

Given, under my hand and seal this 10th day of July, Two Thousand and Twenty.



James M. Cahill
Mayor

Attest:



T.K. Shamy, Esq.
City Attorney