

City of New Brunswick  
Executive Order 2020-05

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

WHEREAS, Governor Murphy has, effective June 15<sup>th</sup>, 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

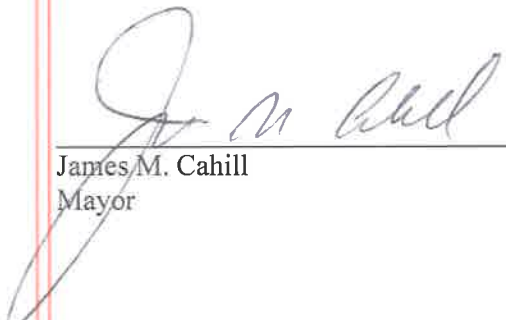
WHEREAS, the City of New Brunswick seeks to temporarily enact certain guidelines to better enable its eateries to succeed in the current environment.

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. Restaurants and taverns on Albany Street, between Easton Avenue and Neilson Street, that are at least 150 feet from the intersection of George Street and Albany Street may have outdoor music on Fridays and Saturdays until 11:00 p.m. or the close of business, whichever is earliest. This allowance shall expire on August 30<sup>th</sup>, 2020.
2. Restaurants and taverns in non-residential zones may have outdoor music provided it does not exceed the standards of the City's Noise Ordinance (no more than 65 decibels) when measured at the closest table to the origination of the sound or ten (10) feet (whichever is closer) until the close of business.
3. Restaurants and taverns in non-residential zones may have outdoor music prior to 10:00 p.m. or the close of business (whichever is earliest) provided it does not exceed 110 decibels when measured at the table located closest to the origination of the sound or ten (10) feet (whichever is closer) until the close of business.
4. George Street, between Albany Street and Bayard Street (excluding cross streets) will be closed from 2:00 p.m. Thursday August 27<sup>th</sup>, 2020 until 11:00 p.m. Sunday August 30<sup>th</sup>, 2020. During this time period the following additional rules shall be in effect:
  - a. Restaurants and taverns within the boundaries of the street closure shall be allowed to leave their tables, chairs and associated equipment from 2:00 p.m. Thursday August 27<sup>th</sup> until 11:00 p.m. Sunday August 30, 2020.
  - b. Restaurants and taverns will be the only entity responsible for their tables, chairs and associated equipment.
  - c. In the event of a weather event or other problematic occurrence, businesses may be instructed to place their tables, chairs and associated equipment inside in a secure location until the condition subsides. Said determinations will be made by the City Police Department as needed.
  - d. Operation of business from 2:00 p.m. Thursday August 27<sup>th</sup> until 11:00 p.m. Sunday August 30, 2020 shall be as follows:
    - i. Thursday from 4:00 p.m. to 12:00 a.m.
    - ii. Friday from 12:00 p.m. to 12:00 a.m.
    - iii. Saturday from 12:00 p.m. to 12:00 a.m.
    - iv. Sunday from 12:00 p.m. to 10:00 p.m.

- e. Debris and refuse shall continue to be removed from George Street at the end of business every night from 2:00 p.m. Thursday August 27<sup>th</sup> until 11:00 p.m. Sunday August 30, 2020 and stored out of the right of way if there is no
- 5. 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).
- 6. 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.
- 7. 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.
- 8. This Executive Order shall, unless otherwise specified herein, take effect on Thursday, August 20, 2020 at 4:00 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 20<sup>th</sup> day of August, Two Thousand and Twenty.



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James M. Cahill  
Mayor

Attest:



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T.K. Shamy, Esq.  
City Attorney