



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldwpnj.com>

Meeting: 09/14/20 07:00 PM

2020 ACTION ITEM APPROVAL

**RESOLUTION TEMPORARILY AMENDING CHAPTER 466 SIDEWALK CAFES -
HOURS OF OPERATION - EXECUTIVE ORDER 183 UPDATES**

WHEREAS, the COVID-19 Global Health Pandemic has had a significant negative economic impact on the Township's restaurants and eateries; and

WHEREAS, Chapter 466 of the Code of the Township of Bloomfield governs the licensing and operation of Sidewalk Cafes within the Township of Bloomfield; and

WHEREAS, On March 16, 2020 the Governor of the State of New Jersey, Phil Murphy, issued Executive Order No. 104, enacting social distancing regulations and imposing restrictions on the scope of services and hours of operation of non-essential businesses; and

WHEREAS, On March 21, 2020, Governor Murphy signed Executive Order No. 107, which continued the prohibition of on-premises consumption of food or beverages; and

WHEREAS, on June 3, 2020, Governor Murphy signed Executive Order No. 150 ("EO 150"), which, effective at 6:00 a.m. on Monday, June 15, 2020, permits defined "food or beverage establishments" to offer in-person service at outdoor areas provided the establishment complies with the stated requirements; and

WHEREAS, pursuant to EO 150, the Commissioner of the New Jersey Department of Health issued Executive Directive No. 20-014 establishing COVID-19 Protocols for Food or Beverage Establishments Offering Service in Outdoor Areas; and

WHEREAS, EO 150 declares that "municipalities are in the best position to make decisions allowing restaurants or bars to expand their service footprint on their property and potentially into shared spaces in a way that comports with public safety"; and

WHEREAS, on June 8, 2020, the Mayor and Council of the Township of Bloomfield

adopted a Resolution temporarily easing the Township's Sidewalk Cafes regulations in order to help the Township's restaurants and eateries; and

WHEREAS, on September 1, 2020, Governor Murphy issued Executive Order 183 stating that, effective at 6:00 a.m. on Friday, September 4, 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, collectively referred to as "food or beverage establishments," are permitted to offer in-person service at indoor areas, provided that the establishment complies with express conditions and specified limitations; and

WHEREAS, despite the limitations required to comply with public health guidelines, the Township's establishments operating with Outdoor Sidewalk Café Licenses have been able to operate in a safe and reasonable manner; and

WHEREAS, Chapter 159-9 of the Township Code designates the hours of operation for every retail business located less than 200 feet from a residential zone, including any establishment, enterprise or business that sells to the general public goods, merchandise, food (including retail food establishments, restaurants, fast food, etc.) as 6:00 am until 12:00 midnight of any day; and

WHEREAS, the Mayor and Council desire to allow Bloomfield's restaurants and eateries to maintain similar hours of operation as in neighboring communities during the pandemic and while dining restrictions remain in place.

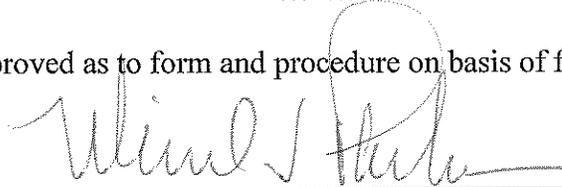
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, that the Township may permit an existing restaurant, as defined in Chapter 466, to extend its hours of operation for outdoor dining until 12:00 a.m. during the 2020 outdoor season, which may be extended through November 30, 2020, consistent with Governor Murphy's Executive Orders No. 150 and No. 183, New Jersey

Health and Safety Standards, and Bloomfield Township Resolution R20-149; and

BE IT FURTHER RESOLVED, the Township may waive other sections of Chapter 466 and enact other regulations as appropriate to maintain order, enhance public safety and to help Township restaurants impacted by the COVID-19 Global Health Pandemic.

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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.



Chief Financial Officer

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on September 14, 2020.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓Vote Record – Resolution						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Deny	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote						
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						

Action Item (ID # 8798)

Meeting of September 14, 2020

<input type="checkbox"/> Defeated	Michael J. Venezia		<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion No Vote							