



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302
P: 201 547 5500 | F: 201 547 5442



STEVEN M. FULOP
MAYOR OF JERSEY CITY

Report of Directors
8.14
Meeting 06.16.21

E.O#2021-003

**EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF JERSEY CITY
RESCINDING EXECUTIVE ORDER 2020-007 AND ESTABLISHING UPDATED
REGULATIONS FOR OUTDOOR DINING**

WHEREAS, Executive Order 2020-007 temporarily suspended Historic Preservation Review for the limited purposes of sidewalk café seating and business signage; and

WHEREAS, Executive Order 2020-007 was issued to help businesses struggling during the COVID-19 pandemic efficiently and promptly open and operate sidewalk café; and

WHEREAS, in light of the State of New Jersey Executive Order No. 238, which removed percentage capacity limits for indoor and outdoor businesses and lifted the prohibition on indoor bar seating, the City of Jersey City no longer believes it is necessary for sidewalk applications to bypass the Historic Preservation Review process;

WHEREAS, due to the popularity of the sidewalk cafés and parklets during the COVID-19 pandemic, the City has seen a dramatic increase in sidewalk cafés and parklets opening throughout the City; and

WHEREAS, a sidewalk café means the use of partitioned sidewalk space beyond the building line to accommodate tables, chairs and the serving of food and drink to patrons of a restaurant fronting on that space; and

WHEREAS, a parklet means the sidewalk café located in parking spaces in front of a business; and

WHEREAS, due to the increase in sidewalk cafés and parklets on residential streets and commercial corridors within the City, the City believes it is important for outdoor dining applications to obtain approval from the relevant Special Improvement Districts and neighborhood association.

NOW, THEREFORE, pursuant to the authority vested in me by law as Mayor of the City of Jersey City, I hereby issue this Executive Order:

1. Executive Order 2020-007 is hereby rescinded, effective immediately.
2. All outdoor dining establishments are required to comply with the Outdoor Dining Requirement memorandum, issued by the City of Jersey City on December 10, 2020, which can be found on the City's website at www.jcnj.org/reopens.

3. Parklets shall only be permitted from March 15 through November 30, inclusive of those dates.
4. The Division of Engineering, Traffic and Transpiration, the Division of Commerce, Office of the Construction Code Official, Division of Zoning, Division of Fire, and the Historic Preservation Commission shall be involved in the sidewalk café and parklet permitting process, as applicable.
5. In addition to the regulations set forth in the Outdoor Dining Requirement memorandum and in the Jersey City Municipal Code, all new and renewal applications for outdoor dining must first obtain approval from the Special Improvement District in which the outdoor dining establishment is located, if applicable, and a neighborhood association serving the area in which the outdoor dining establishment is located, if applicable. An applicant shall contact the Division of Commerce to determine which Special Improvement Districts and/or neighborhood associations from which the applicant must obtain approval. Special Improvement Districts or neighborhood associations shall have thirty (30) days to make a determination on an application. Failure by a Special Improvement District or a neighborhood association to make a determination in thirty (30) days shall be deemed an approval.
6. This Order shall apply to all sidewalk café and parklets, including those sidewalk cafés located in a newly established pedestrian plaza locations through Executive Order 2020-008.
7. The City shall create a new fee schedule for the City's Outdoor Dining Program that would apply to sidewalk cafes and parklets.

If any provision of this Executive Order, or the application of any such provision to any person or circumstances, shall be held invalid or unenforceable for any reason, the remainder of this Executive Order to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and to this extent the provision of this Executive Order are severable.

The Executive Order shall be kept on file in the Offices of the City Clerk and Business Administrator. It will be made available to the public upon request.

By:



STEVEN M. FULOP
MAYOR

June 15, 2021