

BOROUGH OF ORADELL
BERGEN COUNTY, NEW JERSEY
ORDINANCE #22-9

This ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Oradell, in the County of Bergen and State of New Jersey, held on **August 16, 2022**. It will be further considered for final passage after public hearing thereon, at a Public Meeting of said Borough Council to be held in the Town Hall, in said Borough, on **September 28, 2022** at 7:30 PM, and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in said Borough Hall to the members of the general public who shall request the same.

LAURA J. LYONS
Municipal Clerk

**BOROUGH OF ORADELL
ORDINANCE # 22-9**

**AN ORDINANCE AMENDING CHAPTER 80
OF THE CODE OF THE BOROUGH OF ORADELL
TITLED "OUTDOOR CAFES"**

WHEREAS, the Borough of Oradell is authorized to regulate outdoor dining within the Borough;
and

WHEREAS, the Borough of Oradell wishes to amend its existing outdoor dining regulations as set forth in Chapter 80 of the Code of the Borough of Oradell title "Outdoor Cafes;" and

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Oradell as follows:

I. Chapter 80-4, "Area Requirements" is hereby amended as follows:

§ 80-4 Area requirements.

No license shall be issued hereunder unless the licensee shall demonstrate that a minimum of four feet of sidewalk will be available for pedestrian traffic around such outdoor cafe and that such outdoor cafe be directly in front of an eating establishment as hereinabove defined. This four feet wide area must not contain any obstacles that would prevent pedestrian traffic including wheelchair traffic. No food or drinks served at such outdoor cafe shall be prepared or stored other than in the interior of the eating establishment. The term "directly in front of" shall confine the cafe to the area represented by an extension of each side of the store occupied by the eating establishment projected directly to the curb line immediately in front thereof.

II. Chapter 80-5(E), "Application for license" is hereby amended as follows

§ 80-5 Application for license.

E.

Three sets of a proposed layout plan containing drawings clearly illustrating the number, type of materials, color and location of all tables, chairs, umbrellas or other furnishings or fixtures intended to be located in the outdoor cafe. All tables and chairs must be constructed of material of sufficient weight so as to not be affected by high winds. The perimeter of the outdoor cafe shall be defined and set off by a portable type enclosure which may include live potted plantings on Borough property. The enclosure shall define the perimeter of the area to be used as an outdoor cafe and shall separate it from the pedestrians traversing the adjacent sidewalk. The enclosure shall not contain doors or windows nor air-conditioning or heating equipment and shall be open at all times to the air and the barrier shall not have a height of more than three feet. Awnings or outdoor umbrellas extending over the enclosure are permitted, provided that the lowest portion of the awning or umbrella is not less than seven feet above the adjacent sidewalk and does not extend more than one foot beyond the enclosure. The drawings shall also illustrate the following:

III. Chapter 80-25, “Table Service is hereby deleted in its entirety and intentionally left blank.

IV. Severance.

In the event that any portion of this chapter, including the amendments above, or the application of this chapter to any specific situation, shall be declared invalid, such declaration shall not, in any manner, prejudice the enforcement of the remaining provisions, or the enforcement of this chapter in other situations.

V. Effective

This Ordinance shall become effective immediately upon passage and publication as provided by law.

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BOROUGH OF ORADELL
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AN ORDINANCE AMENDING CHAPTER 80
OF THE CODE OF THE BOROUGH OF ORADELL
TITLED “OUTDOOR CAFES”

Introduced: August 16, 2022
Public Hearing: September 28, 2022
Adopted: September 28, 2022

Dianne Camelo Didio, Mayor

Laura J. Lyons, CPM, RMC, RPPO
Administrator/Borough Clerk

This to certify that the foregoing ordinance was finally passed and adopted at the Regular Public Meeting of the Borough Council of the Borough of Oradell, New Jersey on September 28, 2022.

Laura J. Lyons, CPM, RMC, RPPO
Administrator/Borough Clerk