

TOWNSHIP OF WYCKOFF  
COUNTY OF BERGEN  
STATE OF NEW JERSEY  
RESOLUTION #20-218

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INTRODUCED: Madigan

SECONDED: Rubenstein

MEETING DATE: June 4, 2020

REFERENCE: Temporary Outdoor Dining  
Procedures

VOTE: SHANLEY Y BOONSTRA Y FISCHER Y MADIGAN Y RUBENSTEIN Y

**WHEREAS**, in response to the ongoing COVID-19 pandemic, the Governor of New Jersey has issued a series of Executive Orders with the purpose of protecting the health and welfare of the residents of the State of New Jersey; and

**WHEREAS**, Executive Order No. 104 limited the scope of service and hours of operation for restaurants and certain retail establishments; and

**WHEREAS**, Executive Order No. 107, among other things, limited the operation of restaurants and other dining establishments to take-out services; and

**WHEREAS**, the Governor through additional Executive Orders has commenced relaxing the restrictions on businesses as New Jersey has worked to flatten the curve of the virus; and

**WHEREAS**, the Governor has expressed that he will soon be expanding the operations of restaurants to outdoor dining in an effort to allow restaurant establishments to continue operations while being mindful of the ongoing pandemic; and

**WHEREAS**, the Township Committee of the Township of Wyckoff has a desire to provide assistance and every available opportunity to their restaurants and business owners within the municipality to succeed and thrive during this difficult time; and

**WHEREAS**, the Township Committee of the Township of Wyckoff during this unique and emergent time understands the necessity to relax certain zoning ordinances in an effort to assist the restaurants and dining establishments within the Township of Wyckoff by relaxing such Zoning Ordinances and creating a temporary methodology wherein outdoor dining permits can be provided for such eating establishments without the necessity of appearing before the appropriate land use boards or amendment of the existing zoning ordinances and outdoor dining ordinance of the Township of Wyckoff; and

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

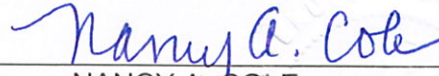
1. As a result of the current pandemic and above-referenced Executive Orders placing restrictions on restaurants and eating establishments, all applications for outdoor dining permits as well as applications for relief from the requirements of the outdoor dining ordinance § 186-70, *et seq.*, as well as all other municipal ordinances affecting such applications for outdoor dining shall be administratively processed and determined by the Zoning Code Enforcement Official with guidance and recommendations from the Wyckoff Department Police and Wyckoff Fire Department.



2. Applications for outdoor dining may include, but may not be limited to, proposed outdoor seating on adjacent property and/or the space fronting adjacent lessees with the consent of such adjacent property owners and/or lessees. Applications may also include areas now utilized as public right of ways for pedestrian and/or vehicular passing and/or parking.
3. All applications shall be reviewed, within three (3) business days, by the Wyckoff Police Department Traffic Safety Officer as well as the Wyckoff Fire Department for the purposes of reviewing safety issues and whether there is appropriate access for Township first responders. The Police Department and Fire Department will prepare and provide letters of approval, denial, and/or recommendations to the Zoning Code Enforcement Official with respect to the application.
4. Applicants shall complete the existing application and checklist utilized by the Township in connection with outdoor dining licenses issued pursuant to Township Ordinance 186-70 et seq. Applications pursuant to this resolution shall include details as close as possible as those required and memorialized in § 186-74 of the existing outdoor dining ordinance, including but not limited to a map and general layout of tables and chairs and a detailed narrative and plan of relevant information describing the method of service.
5. Eating establishment applicants and the property owners of the subject property shall provide proof of insurance and indemnification requirements for the proposed outdoor seating arrangement that complies with and is consistent with the requirements of section 186-76 and acceptable to the Township of Wyckoff.
6. The outdoor dining proposal must also comply with any future Executive Orders of the Governor of the State of New Jersey
7. The relaxation of the procedures to obtain an outdoor dining license pursuant to § 186-70 and the administrative process as articulated in this resolution shall commence June 15, 2020 and shall terminate as of December 1, 2020, but may be extended at the pleasure of the Township Committee by future resolution.
8. Any and all permits, licenses, and/or approvals issued pursuant to this resolution shall have an expiration and termination date of December 1, 2020, and the Zoning Code Enforcement Official shall have the right to revoke such license permit and/or approval prior to such time if, in his opinion, there is a concern with regard to the safety, health, and/or general welfare of the public as a result of the outdoor dining of any such establishment granted approval pursuant to the temporary procedure as outlined in this Resolution.
9. Applications pursuant to this resolution shall be submitted with the regular and existing application fee of \$300 pursuant to Section 186-77.

**CERTIFICATION**

I, NANCY A. COLE, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF,  
CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY  
THE TOWNSHIP COMMITTEE ON JUNE 4, 2020.



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NANCY A. COLE  
ACTING MUNICIPAL CLERK

