

Township Committee – Possible Steps to Support Business Community

All actions are in response to Maplewood Emergency Declaration issued on March 12, 2020 in relation to COVID-19.

All actions are dependent on being a permitted use by the State of New Jersey.

All actions are to be done by Township Committee resolutions rather than changes to ordinances.

Current Ordinances and Procedures	Proposed Changes Through Resolution (Red)
<p>Chapter 187. Outdoor Dining Article I. Outdoor Cafes Chapter 187-2 Definitions; word usage. Outdoor café defined as being on the “sidewalk immediately in front of” a food serving establishment or in a public plaza “immediately adjacent to” a food serving establishment.</p> <p>Chapter 187-5 Eligibility standards. Requires a “minimum of four feet of unobstructed paved surface be available at all times for pedestrian traffic.”</p> <p>Chapter 187-6 Application for licensing. D. Outdoor café requires the approval of the property owner and owner’s consent of serving or permitting alcoholic beverages at the outdoor cafe</p> <p>Chapter 187-14 Responsibilities of licensee. D. No signs shall be permitted in the area of the outdoor cafe. E. Within 30 minutes after the closing of the outdoor cafe, the operator shall have all furniture, apparatus, decorations and appurtenances and any other items used in connection with the operation of such outdoor cafe removed from the sidewalk. All such materials shall be stored in a safe and secure interior location.</p>	<p>1. Outdoor café defined as being on the sidewalk immediately in front of or within 100 feet of the primary entrance to a food serving establishment or in a public plaza immediately adjacent to or within 100 feet of the primary entrance to a food serving establishment.</p> <p>a. Require a minimum of six feet of unobstructed paved surface from the end of a table and/or back of a chair be available at all times for pedestrian traffic.</p> <p>b. Tables are to be spaced at least six feet apart measured from backs of chairs.</p> <p>c. Food serving establishments are encouraged to share outdoor cafes with adjacent businesses.</p> <p>Outdoor café requires the approval of the property owner immediately in front of the food serving establishment and the approval of the adjacent business and property owners to the food serving establishment including approval to serve or permit alcoholic beverages.</p> <p>D. Signs shall be permitted with approval of the respective Special Improvement District.</p> <p>E. A food servicing establishment shall store in a safe and secure manner all outdoor café furniture, etc. immediately in front of the food serving establishment.</p>

<p>License Procedures: Application is sent to Township Clerk with the following: 1) Certificate of Insurance naming Township as additional insured – Bodily Injury/Property Damage of \$1 million 2) If applicant is not property owner, written consent from the owner of the property to operate the outdoor café 3) Three sets of plans including lay out and composition of tables</p>	<p>No changes in procedures.</p> <p>No additional changes. All other provisions of Chapter 187 Article I Outdoor Cafes shall remain in effect.</p>
<p>Article II. Patio Dining Chapter 187-19 Definition An outdoor space with tables and chairs located within a publicly owned parking lot, plaza or square, to be used for dining and musical performance and other artistic events.</p> <p>Chapter 187-20. Purpose; sponsorship by SIDS. B. Patio dining space may only be sponsored by the Township's Special Improvement District Management Corporations (SIDS) and is limited to two evenings per week. Patio dining spaces are designed for patrons to bring their own food and drink, although the SIDS may arrange for food trucks. The SIDS shall immediately address any public nuisance issues that impact the health, safety and welfare of the community.</p>	<p>No changes in definition.</p> <p>B. Patio dining space may only be sponsored by the Township's Special Improvement District Management Corporations (SIDS). Patio dining space shall be limited to two evenings per week in a publicly owned parking lot and there shall be no limit to the number of evenings patio dining space may be sponsored in Ricalton Square and Yale Corner.</p>
<p>Chapter 187-25 Responsibilities of SIDS. C. Within 60 minutes after the closing of the patio dining, the operator shall have all furniture, apparatus, decorations and appurtenances and any other items used in connection with the operation removed.</p>	<p>C. Within 60 minutes after the closing of the patio dining in a publicly owned parking lot, the operator shall have all furniture, apparatus, decorations and appurtenances and any other items used in connection with the operation removed. The operator shall not be required to remove furniture, etc. of the patio dining in Ricalton Square and Yale Corner.</p> <p>No additional changes. All other provisions of Chapter 187 Article II Patio Dining shall remain in effect.</p>

Chapter 239. Streets and Sidewalks

Article III. Obstructions in Streets

Chapter 230-28 Permit Required.

B. No person shall encumber or obstruct or shall authorize the encumbering or obstructing of any street, highway, alley, public right-of-way (as herein defined), alley or other place in the Township by erecting, depositing, placing or leaving or suffering to be erected, deposited, placed or left therein any building materials, stone, dirt, refuse, ashes, vehicles, structures, obstructions or any articles, materials or things, whatsoever, without first having obtained the written permission of the Township.

Other requirements:

- a. 30 day advanced notice
- b. \$1 million insurance with Township as additional insured
- c. Event fee of \$25
- d. Event application for each event

The Township encourages retail businesses and services to use the area immediately in front of their stores to display merchandise. Retail businesses and services may only display those items which are sold within their respective stores. Such merchandise may be displayed during regular business hours and shall be removed overnight.

A minimum of six feet of unobstructed paved surface shall be available at all times for pedestrian traffic.

- a. No minimum notice, act on applications ASAP
- b. No change to insurance requirement
- c. Waive \$25 fee for sidewalk sale
- d. Blanket event approval for 90 days, can be revoked if violations

Chapter 206. Public Property, Use of

Article II. Permit Procedure for Events Held on

Township Property

206.5 Permit Required

A. No person or organization shall conduct an event on Township property without first having obtained a permit from the office of the Township Clerk, which permit shall set forth the approved location of such event and the approved duration of such event by specific reference to a date or dates, including set-up and break-down. Said permit must be readily available for inspection by Township officials at all times at the site of the event.

1. The Special Improvement Districts may sponsor market sales on public property within their respective districts. Blanket market approval shall be given for 120 days and can be revoked if violations. Fees are waived and applications shall be acted on ASAP.

2. A local retail business that is closed to indoor use due to orders of the State of New Jersey and may be permitted by the State to operate in the outdoors may request use of public spaces to conduct its business operation. A permit must be obtained from the Township Clerk. Applications shall be acted on ASAP; \$1 million insurance with the Township as additional insured is required; fee of \$25 per business per application; and applications for multiple uses of the public space per business are permitted.

All other provisions of Chapter 206 Article II Permit Procedure for Events Held on Township Property shall remain in effect.

<p>Parking Currently all business districts have time limited parking restrictions.</p>	<p>The Special Improvement Districts may request the establishment of 15 minute curbside parking zones within their respective districts and identify the areas which are most appropriate for such zones. The Police Chief is authorized to establish such curbside parking zones for up to 90 days.</p> <p>In business areas outside the Special Improvement Districts, businesses shall make a request for 15 minutes curbside parking zones directly to the Police Chief.</p>
<p>Signage There are restrictions on signage in the Design Standards of the Special Improvement Districts and in the Chapter 271-56 of the Maplewood Code.</p>	<p>Signs will be required to let customers and clients know the businesses have re-opened and also to convey special social distancing and health related messaging.</p> <p>Businesses within the Special Improvement Districts shall apply for sign relief to their respective SIDs, which may grant approval without Township review.</p> <p>Businesses outside the Special Improvement Districts shall apply for sign relief to the Department of Community Development.</p>

Other possible recommendations not addressed above include:

1. Parklets – either sponsored by a single or group of businesses or by the Special Improvement Districts
2. Street Closings to create more pedestrian space and/or dining or retail space

Review of alcoholic beverage laws required to deal with outdoor seating in public spaces and privately owned spaces (for example a parking lot).