

NO FEE

APPLY NOW



## TOWNSHIP OF VERONA

### DEPARTMENT OF PUBLIC WORKS

#### DIVISION OF ENGINEERING

10 Commerce Court, Verona NJ 07044

Phone: 973-857-4804

Fax: 973-239-7837

### TEMPORARY OUTDOOR RESTAURANT SEATING

Name of Business: \_\_\_\_\_

Contact person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Owner Name and Signature: \_\_\_\_\_

Begin and End Date of Outdoor Seating (Max 120 days): \_\_\_\_\_

Hours of Operation for Outdoor Seating Area (Not after 10 pm): \_\_\_\_\_

**Applications are currently being accepted and approved pursuant to Executive Order No. 150. Applications become valid on June 15, 2020.**

The following items must be included with the application:

1. Survey or plot plan showing location, size and number of tables and seating. Area cannot exceed 1,000 sf.
2. Diagram of outdoor seating with measurements.
3. **No fee is required.**
4. If seating will be utilized after dusk, temporary lighting will be required if existing lighting is inadequate.
5. If within a parking lot, safety bollards or similar must be provided.
6. All applicants are responsible for verifying that their liquor license permits the serving of alcohol outdoors.

.....  
**Approvals:**

\_\_\_\_\_  
Zoning Officer

\_\_\_\_\_  
Date Issued/ Permit#

Form is located at: following link:

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**RESOLUTION No. 2020-119**

A motion was made by Mayor McEvoy; seconded by Councilman Ryan that the following resolution be adopted:

**PERMITTING TEMPORARY ZONING PERMITS FOR SIDEWALK CAFES  
AND OUTDOOR RESTAURANT SEATING DURING THE COVID-19  
PANDEMIC SHUTDOWN RECOVERY**

**WHEREAS**, restaurants are an integral part of the local economies and social fabrics of municipalities; and

**WHEREAS**, policies regarding restaurants established by the State of New Jersey through law, regulation and executive order rightfully prioritize public health; and

**WHEREAS**, the proper adherence of measures to mitigate the spread of the Covid-19 virus has greatly affected the business model of restaurants; and

**WHEREAS**, the Township wishes to help its local businesses through this difficult time;

**WHEREAS**, many restaurants are owned and operated by local families that depend upon continued economic activity; and

**WHEREAS**, the Township has promoted the take-out and home delivery services of restaurants as residents have quarantined at home; and

**WHEREAS**, restaurant owners are seeking guidance as to how they may safely resume dine-in service upon an eventual broadening of business activity allowable under state authority; and

**WHEREAS**, the Township supports and follows the recommendations of health care professionals to continue proactive measures such as social distancing to curtail the spread of the Covid-19 virus; and

**WHEREAS**, the Township supports temporary, practical measures that enable restaurants to augment their dine-in capabilities as a means to boost customer activity.

**NOW THEREFORE BE IT RESOLVED**, the Mayor and Township Council of the Township of Verona in the County of Essex in the State of New Jersey hereby agree as follows:

1. Temporary Zoning Permits for Sidewalk Cafes and Outdoor Restaurant Seating as defined in § 150-7.22 and 150-7.23 in the Township Zoning Ordinance shall be permitted. Temporary Zoning Permits shall be issued by the Zoning Officer. All Temporary Zoning Permits issued pursuant to this Resolution shall expire on October 31, 2020.
2. Temporary Zoning Permits issued pursuant to this Resolution shall not require the filing of a Site Plan Application or require Site Plan Approval from the Planning Board.
3. A Temporary Zoning Permit issued pursuant to this Resolution must be obtained prior to the creation of any outdoor seating not already permitted by the regular Site Plan Approval process.
4. A drawing of the proposed Sidewalk Café or Outdoor Restaurant Seating area must accompany the Temporary Zoning Permit Application. This drawing shall show the location and size of all proposed tables and chairs and distances to other tables and chairs. All distance separations shall comply with all applicable Executive Orders issued by the Governor of the State of New Jersey, as well as any other requirements, conditions and/or limitations in any applicable Executive Orders. Where available,

the sketch shall be superimposed upon an existing site plan drawing or survey. The drawing need not be drawn to scale.

5. There shall be no fees for filing for this Temporary Zoning Permit.
6. The Township shall expedite the review of all Applications seeking to obtain a Temporary Zoning Permit for a Sidewalk Café or Outdoor Restaurant Seating pursuant to this Resolution.
7. The regulations for Sidewalk Cafes set forth in § 150-7.22(B) in the Township Zoning Ordinance shall remain in full force and effect unless waived or modified by the Zoning Officer if he deems appropriate for the fulfilment of this Temporary Zoning Permit except that § 150-7.22(B)17 and § 150-7.22(B)18 shall be non-waiveable requirements.
8. The regulations for Outdoor Restaurant Seating set forth in § 150-7.23 in the Township Zoning Ordinance shall remain in full force but may be waived by the Zoning Officer if he deems appropriate for the fulfilment of this Temporary Permit except that site plan approval shall not be required.
9. The following standards are hereby created in connection with outdoor restaurant seating:
  - a. The outdoor restaurant seating area may not exceed 1,000 square feet;
  - b. Outdoor restaurant seating areas can be located upon public sidewalks where adequate provision is made for the pedestrian public, on relatively level grass areas, and in parking lots where an adequate number of parking stalls remain in the opinion of the Township Zoning Officer. Preference should be given to creating outdoor restaurant seating on sidewalks and upon grass areas.
  - c. Partitions, planters, tables, chairs and related sidewalk café equipment shall be removed during nonbusiness hours.
  - d. Where a sidewalk café is located next to another commercial establishment that is not open during hours that the café is in operation, the sidewalk café may extend laterally into the adjacent sidewalk area provided:
    - i. The operator of the sidewalk café has written consent from the adjacent business owner and the property owner to utilize said area; a copy of the written consent shall be provided to the Township;
    - ii. Liability insurance is provided by the sidewalk café operator indemnifying the property owner and the Township; and
    - iii. All entrances and exits of the buildings remain clear of sidewalk café equipment.
  - e. Where outdoor seating is proposed to be created in a parking lot, bollards or other protection structures shall be erected along the perimeters of the outdoor restaurant seating area in order to enhance public safety;
  - f. Temporary lighting will be required if the outdoor restaurant seating area is proposed to be utilized after dusk. Temporary lighting cannot produce glare onto the existing roadway which could impair driver's vision. The use of LED style lights is prohibited;
  - g. Landscaping of the perimeter of or within the outdoor restaurant seating area will not be required but may be proposed by the applicant;
  - h. An awning or umbrellas may be utilized within an outdoor restaurant area. Umbrellas, if used, must be securely anchored with a concrete or sand filled base;
  - i. Serving stations and a host podium shall not be located within an outdoor

restaurant seating area;

- j. No change in grading will be permitted in order to create an outdoor restaurant seating area, and no temporary flooring or mats may be utilized;
  - k. The proposed hours of operation of the outdoor restaurant seating area will be included in the Temporary Outdoor Restaurant Seating Application;
  - l. No outdoor restaurant seating area may be located within an approved delivery area/loading zone;
  - m. Restaurants with existing outdoor seating areas may seek to expand the existing area;
  - n. The proposed outdoor restaurant seating area may not affect the effective functioning of a prior approved site plan;
  - o. Any Sidewalk Café or Outdoor Restaurant Seating with a previously secured site plan approval from the Township Zoning Board of Adjustment or Planning Board must remain in compliance with its existing site plan approval;
  - p. The consumption of alcoholic beverages will continue to be regulated by the New Jersey Alcoholic Beverage Control Commission therefore all applicants are responsible for verifying that their liquor license permits the serving of alcohol outdoors;
  - q. In multi-tenanted properties, an approved outdoor restaurant seating area must be discontinued or reduced in size if other retail, personal service and/or commercial establishments are permitted to reopen and there is not then an adequate number of parking stalls available in the discretion of the Township Zoning Officer;
  - r. An approved outdoor restaurant seating area must be discontinued or reduced in size if proper social distancing is not maintained or the restaurant establishment does not comply with applicable sanitary and cleaning standards, use of masks and partitions or other Executive Order requirements issued by the Governor;
  - s. All outdoor seating areas must be closed by 10:00 pm;
  - t. The use of propane style patio heaters on the sidewalks is prohibited.
  - u. Restaurants shall provide access to premises for use of restrooms. No portable toilets shall be permitted.
  - v. No portable generators shall be permitted
  - w. No tents, canopies or extensions to the existing awnings are permitted for Sidewalk Cafes.
  - x. The Township Zoning Officer shall have the discretion to create additional standards for a particular property and to fashion such conditions as may be necessary to further the purposes of the Township Zoning Ordinance;
  - y. All Covid-19 protocols for food or beverage establishments offering service in outdoor areas pursuant to Executive Order No. 150 and listed in the New Jersey Department of Health Executive Directive No. 20-014 shall be followed
10. The Township of Verona reserves all rights, privileges and immunities concerning its inalienable ownership over all sidewalks, streets, public lanes, alleys or other public grounds within the Township, whether or not any projection or encumbrance has been permitted to be erected on the same, without any waiver of such rights, privileges or immunities, whether expressed or implied.

11. The Township of Verona expressly reserves the right to require the removal of any or all encroachments of the public right-of-way, and other such encumbrances upon any sidewalk, street, public lane, alley or other public ground that present a danger to the health, safety and welfare of the public.
12. As part of the petition process, the grantee of any revocable consent must agree to defend, protect, indemnify and hold harmless the Township of Verona, its' officers, agents and employees from and against any and all claims, causes of action, injuries, losses, damages, expenses, fees and costs arising out of, or which may arise out of, the grantee's use of the public right-of-way.
13. The Township of Verona shall establish an outdoor public eating area on the Township Green located in the Township Municipal Plaza that restaurant patrons are encouraged to utilize for the consumption of take-out food from Verona's restaurants.
14. This Resolution shall take effect on June 15, 2020 pursuant to Executive Order No. 150.

**ROLL CALL:**

**AYES:** McGrath, Giblin, Ryan, Roman, McEvoy

**NAYS:**

**THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON JUNE 8, 2020.**

  
**JENNIFER KIERNAN**  
**MUNICIPAL CLERK**





**State of New Jersey**  
**DEPARTMENT OF HEALTH**  
PO BOX 360  
TRENTON, N.J. 08625-0360  
[www.nj.gov/health](http://www.nj.gov/health)

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JUDITH M. PERSICILLI, RN, BSN, MA  
*Commissioner*

**EXECUTIVE DIRECTIVE NO. 20-014**

**COVID-19 PROTOCOLS FOR FOOD OR BEVERAGE ESTABLISHMENTS  
OFFERING SERVICE IN OUTDOOR AREAS PURSUANT TO EXECUTIVE  
ORDER NO. 150**

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), Coronavirus disease 2019 (COVID-19) is a respiratory illness caused by a virus called SARS-CoV-2; and

WHEREAS, COVID-19 is thought to spread mainly through close contact from person to person through respiratory droplets produced when an infected person coughs, sneezes or talks; and

WHEREAS, because COVID-19 is also known to spread by people who do not show any symptoms, it is crucial that all retail establishments follow good personal hygiene practices and take necessary steps to promote a healthy work environment to assist in lowering the further spread of COVID-19; and

WHEREAS, to promote healthy hygiene practices and healthy environment, at minimum, employers should provide training in handwashing, cleaning/disinfection, social distancing, use of face coverings, and monitoring for signs and symptoms of COVID-19 in the workplace; and

WHEREAS, if there is a confirmed case of COVID-19 among employees, food or beverage establishments should immediately notify and cooperate with their local public health departments on next steps, while maintaining confidentiality; and

WHEREAS, on June 3, 2020, Governor Murphy, moving the state forward into phase 'Stage 2', issued Executive Order No. 150 (2020), allowing service by food or beverage establishments at outdoor areas; and

WHEREAS, on March 9, 2020, Governor Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 et seq., in the State of New Jersey for COVID-19; and

WHEREAS, the Public Health Emergency was extended by Governor Murphy under Executive Orders 119 and 138; and

WHEREAS, under the declared Public Health Emergency, the Commissioner of the Department of Health is empowered, pursuant to N.J.S.A. 26:13-12, to take all reasonable and necessary measures to prevent the transmission of infectious disease and apply proper controls for infectious disease; and

NOW, THEREFORE, I, JUDITH PERSICILLI, Commissioner of the Department of Health, pursuant to the powers afforded to me under the Emergency Health Powers Act, hereby ORDER and DIRECT the following:

1. Food or beverage establishments offering service at outdoor areas pursuant to Executive Order No. 150 (2020) must adhere to the protocols listed below:
  - a. Obtain all required municipal approvals and permits before offering food and/or beverage consumption at outdoor areas;
  - b. Post signage at the entrance that states that no one with a fever or symptoms of COVID-19 should enter the food or beverage establishment;
  - c. Limit seating to a maximum of eight (8) customers per table and arrange seating to achieve a minimum distance of six feet (6 ft) between parties;
  - d. Rope off or otherwise mark tables, chairs and bar stools that are not to be used;
  - e. Demarcate 6 feet of spacing in patron waiting areas;
  - f. Provide physical guides, such as tape on floors, sidewalks, and signage on walls to ensure that customers remain at least 6 ft apart in line for the restroom or waiting for seating;
  - g. Eliminate self-service food or drink options such as buffets, salad bars, and self-service drink stations;
  - h. Disinfect all tables, chairs and any other shared items (menus, condiments, pens) after each use;
  - i. Install physical barriers and partitions at cash registers, bars, host stands and other area where maintaining physical distance of 6 ft is difficult;
  - j. Ensure 6 ft of physical distancing between workers and customers, except at the moment of payment and/or when employees are servicing the table;
  - k. Require infection control practices, such as regular handwashing, coughing and sneezing etiquette, and proper tissue usage and disposal;
  - l. Require frequent sanitization of high-touch areas like credit card machines, keypads, and counters to which the public and workers have access;
  - m. Place conspicuous signage at entrance alerting staff and customers to the required 6 ft of physical distance; and
  - n. Require all food or beverage establishments to have an inclement weather policy that, if triggered, would require the food or beverage establishment

to adhere to Executive Order No. 125 (2020) and offer takeout or delivery service only.

2. Food or beverage establishments offering service at outdoor areas pursuant to Executive Order No. 150 (2020) must impose the following requirements on employees:
  - a. Require employees to wash and/or sanitize their hands when entering the food or beverage establishment;
  - b. Conduct daily health checks (e.g. temperature screening and/or symptom checking) of employees safely and respectfully, and in accordance with any applicable privacy laws and regulations;
  - c. Require employees with symptoms of COVID-19 (fever, cough, or shortness of breath) be sent home;
  - d. Require all employees to wear face coverings, except where doing so would inhibit the individual's health, and require employees to wear gloves when in contact with customers and when handing prepared foods or serving food, utensils, and other items to customers;
  - e. Provide all employees with face coverings and gloves;
  - f. Provide employees break time for repeated handwashing throughout the workday; and
  - g. Provide sanitization materials, such as hand sanitizer and sanitizing wipes to staff.
3. Food or beverage establishments offering service at outside areas pursuant to Executive Order No. 150 (2020) must institute the following policies with respect to customers:
  - a. Inform customers that safety measures such as social distancing, wearing face coverings when they are away from their table and unable to social distance or when they are inside the indoor portion of the premises of the food or beverage establishment (unless the customer has a medical reason for not doing so or is a child under two years of age), and hygiene practices must be adhered to while in the food or beverage establishment;
  - b. Encourage reservations for greater control of customer traffic/volume;
  - c. Require customers to provide a phone number if making a reservation to facilitate contact tracing;
  - d. Recommend customers wait in their cars or away from the food or beverage establishment while waiting for a table if outdoor wait area cannot accommodate social distancing;
  - e. Alert customers via calls/texts to limit touching and use of shared objects such as pagers/buzzers;
  - f. Encourage the use of digital menus;
  - g. Decline entry to the indoor portion of the establishment to a customer who is not wearing a face covering, unless the customer has a medical reason for not doing so or is a child under two years of age; and



- h. Provide a hand sanitizer station for customers.

This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect for the duration of the public health emergency originally declared in Executive Order No. 103 (2020), and as extended by Executive Order, unless otherwise modified, supplemented and/or rescinded.

  
Judith Persichilli, R.N., B.S.N., M.A.  
Commissioner

6/3/2020  
Date

**NJ DEPARTMENT OF HEALTH  
PUBLIC HEALTH AND FOOD PROTECTION PROGRAM**

<https://www.nj.gov/health/ceohs/food-drug-safety/>

**Resources available from US Food & Drug Administration, Center for Disease Control and Prevention and EPA.**

[FDA Best practices for Re-opening Retail Food Establishments During the COVID-19 pandemic checklist](#)

[FDA Food Safety and COVID-19 Questions and Answers for Industry: Food Supply Chain; Social Distancing, Disinfecting & Other Precautions; Workers Testing Positive](#)  
[CDC Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a person with Suspected or Confirmed COVID-19](#)

[CDC Interim Guidance Resuming Operations for Restaurants and Bars](#)

[CDC Considerations for Restaurants and Bars](#)

[List of EPA registered surface disinfectants for use against COVID-19](#)

MAYOR  
JACK McEVOY  
DEPUTY MAYOR  
ALEX ROMAN  
COUNCILMEMBERS  
KEVIN J. RYAN  
EDWARD GIBLIN  
CHRISTINE McGRATH

**TOWNSHIP OF VERONA**  
COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP MANAGER  
MATTHEW CAVALLO  
TOWNSHIP CLERK  
JENNIFER KIERNAN  
TOWNSHIP ATTORNEY  
BRIAN J. ALOIA, ESQ.

VERONA COMMUNITY CENTER  
880 BLOOMFIELD AVENUE  
VERONA, NEW JERSEY 07044

MUNICIPAL BUILDING  
600 BLOOMFIELD AVENUE  
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DEPARTMENT OF PUBLIC WORKS  
10 COMMERCE COURT  
VERONA, NEW JERSEY 07044

By my signature, I acknowledge that I have read, understand, and agree to the policies and procedures permitting "Temporary Outdoor Café's and Outdoor Restaurant Seating during the COVID-19 Pandemic Shutdown Recovery defined in the Township of Verona Resolution No. 2020-119 effective June 15<sup>th</sup> 2020 and also the Governor of the State of New Jersey Executive Order Directive No. 20-014 "Covid-19 Protocols for Food or Beverage Establishments Offering Service in Outdoor Areas Pursuant to Executive Order No. 150.

Business Name:

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Address:

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Emergency Contact: (name and phone number)

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Owner/Operator

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Witness