

**BOROUGH OF JAMESBURG**

**TEMPORARY USE PERMIT**

**2023 OUTDOOR DINING**

**A RESOLUTION AUTHORIZING OUTDOOR SEATING FOR RESTAURANTS IN THE BOROUGH OF JAMESBURG FROM MAY 1, 2023 THROUGH NOVEMBER 30, 2023** Please complete this application and email or return to [bmaresca@jamesburgborough.org](mailto:bmaresca@jamesburgborough.org).

The owner or operator of a restaurant, bar, distillery, or brewery desiring to utilize outdoor spaces as an extension of their businesses shall file an application with the municipal zoning officer that includes: (1) a plan, sketch, picture, or drawing that depicts the design, dimensional boundaries, and placement of tents, canopies, umbrellas, tables, chairs, and other fixtures of the outdoor spaces; and (2) a plan for the control of litter, the removal and storage of garbage, and the cleaning of fixtures and grounds. If a business premises' parking lot is used for the service and sale of either food or beverages, or both, the restaurant, bar, distillery, or brewery shall not encumber more than 75 percent of the lot's total parking spaces for such service and sale, unless the parking lot contains less than eight parking spaces, and shall maintain at least one handicapped parking space in the parking

**Business Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Name of Contact:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_

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Dates of the event: **May 1, 2023 thru November 30, 2023 during normal business hours only (exception #17).**

1. A letter of permission from the property owner consenting to the temporary use permit must be submitted if the applicant does not own the property where the dining is to be located.
2. A copy of the mercantile license issued to you must be attached ( )
3. Certificate of Insurance must be attached \$1,000,000 minimum coverage ( ), which names the Borough of Jamesburg as an additional insured on the policy.
4. A sketch of the site with the location of the dining area must be submitted with the application. The seating area cannot block traffic, obstruct views of oncoming traffic, interfere with parking for or hinder egress from any tenant of the building. ( )
5. The area proposed for the temporary use permit for outdoor dining **must not exceed fifty per cent (50%) of the authorize maximum seating capacity for the existing dining use and shall not exceed one thousand square feet (1,000 SF).** The seating layout shall allow for appropriate social distancing of 6-feet between seating and tables of no more than 8 individuals. Social distancing must also be maintained to individuals in a public sidewalk or from anyone that may be standing in line for seating or take-out. The layout cannot block egress. Seating in the right- of-way is prohibited. Applicant shall comply with all requirements of the Governor’s Executive Order No. 150, as may be amended.

- 6. On Sunday through Thursday all Outdoor Dining seating areas must be closed by 9:00pm. On Fridays and Saturdays, all Outdoor Dining seating areas must be closed by 10:00pm;
- 7. Temporary use permits must comply with all applicable Fire and Health Department Regulations.
- 8. Access must be maintained in accordance with the Americans with Disabilities Act and all applicable standards.
- 9. All outdoor dining areas must be maintained and clean of litter.
- 10. No smoking or vaping shall be permitted in the area covered by the outdoor dining temporary use permit.
- 11. No music shall be permitted in the area covered by the outdoor dining temporary use permit.
- 12. Outdoor dining temporary use permits shall be issued in the absolute and sole discretion of the Borough of Jamesburg based on the information provided in the application, the impact of the temporary permit on the quality of life of the surrounding neighborhood and the potential impact on the life, health and safety of the residents of the Borough of Jamesburg.
- 13. Temporary use permits shall be restricted to currently permitted zoning activity and shall be related to the principal commercial activities in operation on the subject property.
- 14. Temporary use permits shall not be issued to occupy unimproved properties or areas identified as open space, preserve, drainage or detention areas, or landscape buffers.
- 15. Temporary use permits may be revoked for failure to comply with the outlined submittal requirements, New Jersey Statutes, Executive Orders of the Governor, requirements of the State and/or County Department of Health, or the Borough of Jamesburg Municipal Code.
- 16. A copy of the approved application must be kept on premises for review by Borough officials on request.**
- 17. Temporary use permits approved per this application shall remain in effect until **November 30, 2023.**

**SIGN HOLD HARMLESS AGREEMENT**

\_\_\_\_\_ (business name), following review of this Application by an attorney of its choosing, hereby agrees to indemnify, defend, and hold harmless the Borough, its employees, elected officials, volunteers and its insurance fund from and against any and all liability or claims, including but not limited to death, bodily injury, and property damage arising from implementation, operation and/or utilization of outdoor dining resulting from this Application.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date