



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

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STEVEN M. FULOP
MAYOR OF JERSEY CITY

E.O. #2022-001

Report of Directors
8.8
Meeting 02.24.22

**Superseding and
Rescinding E.O. 2020-007, 2021-003**

EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF JERSEY CITY RESCINDING
EXECUTIVE ORDER 2021-003 AND ESTABLISHING UPDATED REGULATIONS FOR
OUTDOOR DINING

WHEREAS, Executive Order 2020-007 temporarily suspended Historic Preservation Review for the limited purposes of sidewalk café seating and business signage; and

WHEREAS, Executive Order 2020-007 was issued to help businesses struggling during the COVID-19 pandemic efficiently and promptly open and operate sidewalk cafés; and

WHEREAS, Executive Order 2021-003 rescinded Executive Order 2020-007 and established updated regulations for outdoor dining requiring applicants to obtain additional permit approval from the relevant Special Improvement Districts and Neighborhood Associations; and

WHEREAS, in light of the State of New Jersey Executive Order No. 238, which removed percentage capacity limits for indoor and outdoor businesses and lifted the prohibition on indoor bar seating, the City of Jersey City no longer believes it is necessary for sidewalk applications to bypass the Historic Preservation Review process; and

WHEREAS, due to the popularity of the sidewalk cafés and parklets during the COVID-19 pandemic, the City has seen a dramatic increase in sidewalk cafés and parklets opening throughout the City; and

WHEREAS, both Seasonal and Year-Round parklets shall be allowed to operate; and

WHEREAS, a sidewalk café means the use of partitioned sidewalk space beyond the building line to accommodate tables, chairs, and the serving of food and drink to patrons of a restaurant fronting on that space; and

WHEREAS, a parklet means the sidewalk café located in parking spaces in front of a business; and

WHEREAS, the City believes it is no longer required for outdoor dining applicants to obtain additional approval from the relevant Special Improvement Districts and Neighborhood Associations.

NOW, THEREFORE, pursuant to the authority vested in me by law as Mayor of the City of Jersey City, I hereby issue this Executive Order;

1. Executive Order 2021-003 is hereby rescinded, effective immediately.


2. All outdoor dining establishments are required to comply with the Jersey City Municipal Code and the Outdoor Dining Requirement memorandum, issued by the City of Jersey City on December 10, 2020, which can be found on the City's website at www.jcnj.org/reopens.
3. Seasonal Parklets shall only be permitted to operate from March 15 through November 30 of the same year, inclusive of those dates; and Year-Round Parklets shall be permitted to operate from March 15 to March 14 of the following year.
4. The Division of Engineering, Traffic and Transportation, the Division of Commerce, Office of the Construction Code Official, Division of Zoning, Division of Fire, and the Historic Preservation Commission shall be involved in the sidewalks café and parklet permitting process, as applicable.
5. This Order shall apply to all sidewalk cafés and parklets, including those sidewalk cafés located in newly established pedestrian plaza locations through Executive Order 2020-008.
6. The City shall create a new fee schedule for the City's Outdoor Dining Program that would apply to sidewalk cafés and parklets.

If any provision of this Executive Order, or the application of any such provision to any persons or circumstances, shall be held invalid or unenforceable for any reason, the remainder of this Executive Order to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and to this extent the provisions of this Executive Order are severable.

The Executive Order shall be kept on file in the Offices of the City Clerk and Business Administrator. It will be made available to the public upon request.

By:

February 14, 2022



STEVEN M. FULOP
MAYOR