

**TOWNSHIP OF FRANKFORD
SUSSEX COUNTY, NEW JERSEY**

**RESOLUTION NO. 2020-043
(REVISED)**

**RESOLUTION AUTHORIZING TEMPORARY OUTDOOR
DINING**

WHEREAS, since March 15, 2020, restaurants in Frankford Township have been greatly impacted due to the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Murphy issued Executive Order No. 104 which limited restaurants to providing take-out food only, and on June 3, 2020, Governor Murphy issued Executive Order No. 150 which provided for the ability of restaurants to open outdoor dining for food and beverage consumption, including alcoholic beverages, subject to municipal approval; and

WHEREAS, the Frankford Township Committee wishes to provide relief to those restaurants being impacted by COVID-19 by allowing temporary outdoor seating in accordance with Executive Order No. 150.

NOW, THEREFORE, BE IT RESOLVED, that the Frankford Township Committee, in the County of Sussex, State of Jersey, hereby approves in-person service by all food and beverage establishments within the Township at contiguous outdoor areas under the possession and control of the owner or licensee of the food and beverage establishment; and

BE IT FURTHER RESOLVED, that all tents, planters, tables, chairs, lights and all other temporary structures, furniture and fixtures erected and utilized in furtherance of outdoor dining authorized herein be and hereby are deemed to be conforming, permitted uses, and any and all fees for any municipal permit are waived with respect thereto; and

BE IT FURTHER RESOLVED, that all holders of liquor licenses with retail consumption privileges are hereby approved for an ABC COVID-19 Expansion of Premises Permit, in accordance with the rules and regulations established by the Division of Alcoholic Beverage Control, and the Township Clerk be and hereby is authorized to endorse any such application; and

BE IT FURTHER RESOLVED, that all food and beverage establishments within the Township that wish to incorporate the use of outdoor dining must continue to follow the rules and regulations set forth by Governor Murphy, the New Jersey Department of Health's Executive Directive 20-014, as the same may be amended from time to time,

the Sussex County Department of Health, as well as all other applicable local, state and federal laws; and

BE IT FURTHER RESOLVED, the total number of seats/customers at one time must not exceed the total permitted restaurant capacity and must not impede pedestrian circulation, parking, or the public right-of-way; and

BE IT FURTHER RESOLVED, restaurants may display one temporary sign to notify the public of dining options and restrictions so long as the signage does not interfere with public safety; and

BE IT FURTHER RESOLVED that outdoor dining permitted by this Resolution shall be permitted to commence at 6:00 a.m. on Monday, June 15, 2020 and shall extend through November 30, 2020.

CERTIFICATION

I, Lori Nienstedt, Administrator and Acting Municipal Clerk for the Township of Frankford, County of Sussex, do hereby certify that the foregoing is a true and exact copy of the Resolution revised by the Frankford Township Committee on August 11, 2020.

Lori Nienstedt, Administrator, Acting Municipal Clerk