

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2749-14

AN ORDINANCE
TO AMEND
CHAPTER 187
OF THE CODE
OF THE TOWNSHIP OF
MAPLEWOOD
ENTITLED
"OUTDOOR CAFES"

"Interpretive Statement"

This ordinance will eliminate the annual fee for securing an Outdoor Café License.

WHEREAS, Chapter 187 of the Code of the Township of Maplewood provides for the securing of an Outdoor Café License; and

WHEREAS, the present Ordinance requires a License Fee of \$100.00 per year; and

WHEREAS, the Township Committee wishes to encourage outdoor dining.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that 187 of the Code of the Township of Maplewood entitled "Outdoor Cafés" be amended as follows:

FIRST: Section 187-6 Application for Licensing shall be amended to read:

Application for the license required hereunder shall be made to the Township Clerk and be signed by the applicant. The application shall be in such form and shall contain the following information:

- A. The full name, address and telephone number of each individual, owner, partner or executive of the eating establishment.
- B. A copy of the trade, corporate, business or fictitious name upon which the applicant intends to do business pursuant to this Section.
- C. The address where the applicant intends to establish or operate an outdoor café.

- D. The full name and address of the person owning the premises, if other than the applicant, together with the owner's consent to the outdoor café and if applicable, the owner's consent to the serving or permitting of alcoholic beverages at the outdoor café.
- E. Three (3) sets of a proposed layout plan drawn to scale (but not necessarily by a professional) of the proposed design and location of the outdoor café, including the location of all appurtenances, demonstrating that the pedestrian traffic will not be impeded. The drawings shall also illustrate the following:
- (1) The location of any doors leading from the eating establishment to the outdoor café. No such doors may be obstructed in any manner.
 - (2) The number of feet permitting free passage of pedestrian traffic around or through each outdoor café.
 - (3) A minimum of ten (10) square feet per seat in the outdoor café shall be required. The seating density applies to the bulk area available and excludes the area bound by the pedestrian walkway outward toward the curb.
- F. All outdoor café licenses shall expire on December 31, of the calendar year in which the license is issued.

All other sections shall remain unchanged

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on Tuesday, May 20, 2014, 7:30 p.m., at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, and that Committee met again on Wednesday, June 4, 2014, at 7:30 p.m., at the Maplewood Police and Court Building, 1618 Springfield Avenue,

Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk