



You couldn't pick a better place.

**Mayor
Susan Shin Angulo**

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Director | Community Development

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TOWNSHIP OF CHERRY HILL 2021 TEMPORARY OUTDOOR DINING PERMIT

Pursuant to P.L.2021, c. 15, and due to the current Public Health Emergency declared by Governor Murphy, and in an effort to prevent further spread of COVID-19, the Township of Cherry Hill seeks to expand opportunities for restaurants, bars, distilleries, and breweries to provide outdoor dining.

Restaurants, bars, distilleries, and breweries that do not currently have approved outdoor dining, or would like to increase and/or change the area of their current approved outdoor dining space, on private property and/or public sidewalks, must file this application with the Department of Community Development along with the required information and documents detailed below.

Submission Instructions

Please review this application, provide/prepare all required information and documents, and email a copy of the complete package * to:

Vandi-Koi Lahai
Division of Zoning Permits and Enforcement
Department of Community Development
Email: VLahai@chtownship.com | Phone: (856) 488-7870

Required Information and Documents

1. Provide the following information:

Business Name: _____

Address: _____

Name of Contact: _____

Email Address: _____

Phone Number of Contact: _____

Phone Number of Restaurant: _____

Property Owner Name: _____

The proposed outdoor dining will be located on (select all that apply):

a. **Private Property:** _____ (yes/no)

b. **Public Sidewalks:** _____ (yes/no)

* **Partial or Incomplete submissions will be deemed incomplete and may result in delays.**

2. Submit the following required documents:
 - a. written consent of the owner of the premises, if other than the applicant;
 - b. 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/or public sidewalks, include the number of total parking spaces on site and how many of said parking spaces will be utilized for outdoor dining.
 - c. a plan for the control of litter, the removal and storage of garbage, and the cleaning of fixtures, grounds and/or public sidewalks.

Conditions of Approval

1. The restaurant, bar, distillery, or brewery understands this permit does not permit expanding the sale of alcoholic beverages outdoors. The applicant further understands that prior approval from the New Jersey Division of Alcoholic Beverage Control is required to expand the sales of alcoholic beverage outdoors.
2. The restaurant, bar, distillery, or brewery shall not encumber more than 75% of the lot's total parking spaces for outdoor dining, unless the parking lot contains less than eight (8) parking spaces, and shall maintain at least one (1) handicapped parking space in the parking lot.
3. Tables and seating in any right-of-way, except public sidewalks consistent with this permit, is strictly prohibited.
4. Access must be maintained in accordance with the Americans with Disabilities Act and all applicable standards.
5. The Township reserves the right to deny, revoke, or temporarily suspend the temporary outdoors dining permit of any applicant or permittee that violates, or is not in compliance with:
 - a. any provision of P.L.2021, c. 15 or any provision of a law, ordinance, or regulation related to health, safety, fire, permitted use, zoning; or
 - b. the consumption or control of alcoholic beverages not otherwise under the jurisdiction of the Division of Alcoholic Beverage Control; and
 - c. may also deny, revoke, or temporarily suspend the permit of any applicant or permittee based on any action taken against the applicant or permittee by the Division of Alcoholic Beverage Control related to the division's enforcement of any law or regulation related to the consumption or control of alcoholic beverages under its jurisdiction.
6. Any restaurant, bar, distillery, or brewery operating pursuant to this Temporary Outdoor Dining Permit shall follow, maintain, and enforce all applicable protocols promulgated by the New Jersey Commissioner of Health and/or Executive Order of the Governor in response to the COVID-19 public health emergency, concerning social distancing and use of personal protective equipment during the period those protocols are in effect.
7. Notwithstanding any provision of P.L.2021, c. 15 to the contrary, all other municipal ordinances pertaining to sanitation, property maintenance, noise, business days and hours of operation, and days and hours of service of alcoholic beverages shall apply, unless specifically suspended or modified by the municipality or specifically prohibited by the provisions of P.L.2021, c. 15.
8. Owners and operators of restaurants, bars, distilleries, or breweries desiring to utilize public sidewalks are subject to the following conditions:
 - a. a walking path not less than four (4) feet wide must be maintained on the public sidewalk at all times so as to not obstruct pedestrian traffic;
 - b. all fixtures must be removed from public sidewalks at the conclusion of each day; and

- c. the Township reserves the right to order the temporary suspension of outdoor dining and the removal of all fixtures from public sidewalks due to road or utility construction, predicted high winds or severe weather, predicted snow or ice storms, the need to remove snow or ice from the sidewalks, and/or any other public emergency that may arise.
9. A public sidewalk or an outdoor space shall be considered a portion of the premises which is open to the public for the purposes of section 5 of P.L.1999, c.90 (C.2C:33-27).
 10. Nothing in P.L.2021, c. 15 permits the use of State-owned right of way for the purposes of outdoor dining. Permits for the use of the State right of way will be issued upon application and approval of the New Jersey Department of Transportation. For the purposes of locally-owned roads that intersect the State highway system, setbacks from the State right of way line will be 50 feet from April 1 to October 31, and 100 feet from November 1 to March 31.
 11. This Temporary Outdoor Dining Permit shall expire on November 30, 2022, or on the date of the resumption, pursuant to an executive order issued by the Governor, of indoor dining without capacity limitations, whichever is later.

I, the undersigned, hereby affirm that I have read, understand, and agree to all the above conditions of approval, and further agree to indemnify and hold harmless, the Township of Cherry Hill, and its employees, officers, officials, and any other associates from and against any and all actions, in law or in equity, from any liability or claims for damages, demands, or judgments to any person or property which may result now or in the future arising or related to the issuance of this permit and/or from the operation of the outdoor dining facility on private property or on public sidewalks.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Telephone Number

Print Name of Company or Corporation

For Official Use Only

Permit Application Received on: _____

Application No.: _____

Approved by Police Department on: _____

By: _____

Approved by Community Development on: _____

By: _____

Cosmas P. Diamantis, Esq.
Director of Community Development

Permit No.: _____