

RESOLUTION NO. _____-2020

**RESOLUTION IMPLEMENTING GOVERNOR
MURPHY'S EXECUTIVE ORDER NO. 150 SO AS
TO TEMPORARILY ALLOW OUTDOOR DINING**

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), Governor Murphy issued Executive Order No. 103 on March 9, 2020, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, Governor Murphy recently issued Executive Order No. 150 on June 3, 2020 which, inter alia, authorizes municipalities "to allow food or beverage establishments to expand their footprint to outdoor area, both within their property and among municipality-governed areas, including but not limited to sidewalks, streets, or parks;" and

WHEREAS, the Board of Commissioners of the City of Millville finds that it is in the best interests of City residents to implement the aforesaid Executive Order in the City on a temporary basis until such time as the emergency COVID-19 restrictions contained in previous Executive Orders are rescinded by the Governor; and

WHEREAS, the findings in Executive Order No. 150 are hereby specifically incorporated herein by reference thereto.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Millville, County of Cumberland and State of New Jersey as follows:

1. Outdoor dining shall be permitted within the City, including sidewalks, public lands and other City right-of-ways subject to the authorization of the City Zoning Officer who shall give due consideration to the conditions set forth in Executive Order No 150 as well as other public safety concerns in consultation with necessary local, County and State authorities and as may otherwise be addressed in the Millville City Code;

2. All outdoor dining shall be fully compliant with the conditions set forth in Executive Order No. 150 and the Americans with Disabilities Act (ADA);

3. Restaurants seeking to utilize a public right-of-way for outdoor dining shall be required to complete the "Application for Use of Public Right-of-Way" form, a copy of which is attached hereto as Exhibit "A" and incorporated by reference thereto. The City as agreed to waive any application and/or approval fees relating to its review;

4. Restaurants seeking to utilize a public right-of-way for outdoor dining shall be required to enter into and accept the attached "Use of Public Right-of-Way Agreement" which is annexed hereto as Exhibit "B" and incorporated herein by reference thereto and to fully comply with all of the indemnification and insurance provisions contained therein;

5. The provisions of this Resolution shall be effective as of

June 15, 2020.

6. All the provisions of the within Resolution are intended to be temporary in nature until such time as the Governor rescinds the aforesaid COVID-19 restrictions.

Moved By: _____

Seconded By: _____

VOTING	In Favor	Against	Abstain	Absent
Michael Santiago				
W. James Parent				
Ashleigh Udalovas				
Joseph Pepitone				
Bruce Cooper				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on _____, 2020.

Jeanne M. Hitchner, City Clerk