

ORDINANCE NO. 3553-21

AN ORDINANCE AMENDING CHAPTER 65 ENTITLED "OUTDOOR CAFÉS," OF THE CODE OF THE BOROUGH OF RUTHERFORD

BE IT ORDAINED by the Mayor and Council of the Borough of Rutherford, County of Bergen and State of New Jersey hereby amend the Code of the Borough of Rutherford as follows:

SECTION 1. §65 of the Borough Code of the Borough of Rutherford, entitled 'Outdoor Cafés,' is hereby added as follows:

§65-1. Definitions, is hereby amended to include:

PARKLETS: A temporary concrete barrier curb extension provided by the applicant in a Permitted Area, directly in front of a restaurant, or, in the event of a corner restaurant, directly adjacent to the side of a restaurant, approved by the Building Department and the Police Department as to safety, and designed to increase opportunities for outdoor dining. Parklets may extend beyond the area directly in front of a restaurant in the Permitted Area, provided there is written authorization from the owner and tenant of the adjoining property in front of which this extension is requested.

PERMITTED AREA: The area directly in front of a restaurant, or, in the event of a corner restaurant, directly adjacent to the side of a restaurant, on Park Avenue between the southerly side of Ames Avenue to the Northerly side of West Pierrepont Avenue, on Franklin Avenue, and Santiago Avenue as it relates to any corner restaurant on the corner of Santiago Avenue and Union Avenue.

§65-5 A (6) is hereby added to this ordinance as follows: If the applicant for a café license is also requesting a Parklet or just a Parklet, the applicant must submit plans showing the dimensions of the concrete barrier curb extensions and the layout of the tables within the Parklet, and such other plans and specifications for said parklet as may be requested for review by the Police Department and the Building Department.

§65-5 C is hereby added to this ordinance as follows: Any applicant receiving a license for a Parklet shall pay to the Borough, on the first (1st) of each month, the sum of \$200 per month, or any part thereof, for each parking space at which a parking meter exists, that is being occupied by the Parklet, in order to compensate the Borough for the estimated loss meter revenue. Failure to pay will result in revocation of license.

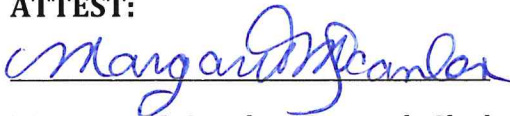
SECTION 2. All ordinances of the Borough of Rutherford, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. All other provisions of §65 of the Code of the Borough of Rutherford are not further amended and remain in full force and effect.

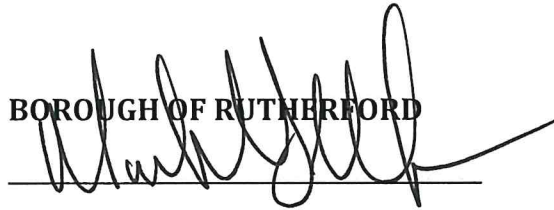
This ordinance shall take effect immediately upon final passage.

ATTEST:

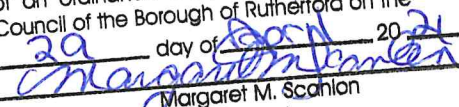


Margaret M. Scanlon, Borough Clerk

BOROUGH OF RUTHERFORD



Mark Goldsack, Acting Mayor

I hereby certify that this is a true and exact copy of an ordinance adopted by the Mayor and Council of the Borough of Rutherford on the 29 day of April, 2021

Margaret M. Scanlon
Borough Clerk