

ORDINANCE NO. 2024-10

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AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XL, DEVELOPMENT REGULATIONS AND REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR APPLICABLE TO OUTDOOR DINING, OUTDOOR EATING AND SIDEWALK CAFÉ AREAS

WHEREAS, the Borough of Belmar seeks to amend sections of the Development Regulations specifically section 7.32, Outdoor Dining, Outdoor Eating and Sidewalk Café Areas in the Borough of Belmar;

NOW, THEREFORE BE IT ORDAINED by the Borough of Belmar, County of Monmouth, State of New Jersey that Chapter XL of the Development Regulations in the Borough of Belmar, Revised General Ordinance is amended and supplemented as follows:

SECTION I: Article VII, The Zoning Regulations, Section 7.32, Outdoor Dining Areas, Outdoor Eating Areas and Sidewalk Café Areas, subsection .2, Permit Required, shall be amended as follows:

e. Applicants proposing to establish an Outdoor Eating Area, Outdoor Dining Area or Sidewalk Café Area must provide satisfactory proof to the Zoning Officer of the following:

1. Applicants proposing to establish an Outdoor Eating Area or Outdoor Dining Area in the BC Zone and/or Seaport Village Redevelopment Area must provide an architectural barrier such as floral arrangements, landscaping and/or decorative fencing designed to enclose the eating area and limit the ability of litter to blow off the premises. The Zoning Officer shall also require such architectural barriers to litter in any other locations or situations where the Zoning Officer determines that the litter would otherwise be likely to result from the accessory use. All other Outdoor Dining Areas and Sidewalk Café Areas shall be delineated by a decorative chain and bollards or other means approved by the Zoning Officer. otherwise be likely to result from the accessory use. All other Outdoor Dining Areas and Sidewalk Café Areas shall be delineated by a decorative chain and bollards or other means approved by the Zoning Officer.

2. An applicant proposing to establish an Outdoor Eating Area, Outdoor Dining Area or Sidewalk Café Area shall submit to the Zoning Officer a layout of the proposed seating areas, which shall include but not be limited to a depiction of all aisles, routes or ingress and egress; clearances between tables and between the seating area at the curb; the location of all food preparation and service areas; the landscape plan; location and description of all plumbing, electrical and other equipment and fixtures that will be utilized; an illustration rendering and/or photograph of all proposed furniture, umbrellas, awnings, signage and other furniture proposed. Picnic style tables shall only be permitted at establishments located on Ocean Avenue. No picnic-style tables are permitted.

SECTION II.

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

SECTION III.

All Ordinance or parts of Ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistencies.

SECTION IV.

This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.