

**TOWNSHIP OF CEDAR GROVE
ESSEX COUNTY NEW JERSEY**

AGENDA ITEM:#4(c)

DECEMBER 8, 2025

PASSED ORDINANCE NO. 25-956

AN ORDINANCE AMENDING CHAPTER 230 ARTICLE VII SECTIONS 52, 53 AND 55 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE ENTITLED OUTDOOR SIDEWALK CAFE.

WHEREAS, Governor Murphy signed legislation (S3608/A4866) on November 25, 2024, making New Jersey's temporary outdoor dining permissions permanent; and

WHEREAS, These temporary permissions, initially introduced during the COVID-19 pandemic to support businesses, were set to expire at the end of November 2024. When this law officially took effect, it ensured that the outdoor dining options continued on an annual basis. This legislation supersedes the Code of the Township of Cedar Grove pertaining to Chapter 230 Article VII regarding Outdoor Sidewalk Cafe; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, that:

§230-52 License terms and conditions.

- A. A sidewalk dining license shall be valid annually, upon expiration of the previous license and a new license must be obtained for each year.
- B. A sidewalk dining license may not be transferred.
- C. The license shall be displayed in a conspicuous place on the premises prior to the use of the premises for sidewalk dining.
- D. Each outdoor sidewalk café is required to have obtained site plan approval pursuant to Section 268-40a.

§230-53 Regulations.

The conduct of sidewalk dining pursuant to a license issued under this article shall be subject to all of the following restrictions and requirements:

- A. Public sidewalk dining may be conducted in the Retail Shopping District (B), Restricted Commercial District (RC) and Limited Commercial District (LC), designated on the Cedar Grove Zoning Map.
- B. The sidewalk dining area must not inhibit pedestrian traffic on public sidewalks, and an area must be open and unobstructed for pedestrian traffic between the closest edge of the cafe-type tables and the curbline, which area shall have a minimum width of the greater of 10 feet or 1/2 of the sidewalk width.
- C. Restaurateurs shall not place anything in an alleyway or walkway or set up tables in such a manner as to block any alleyways or walkways or any building entrance/egress. It shall be unlawful to obstruct or reduce in any manner the clear width of any exit discharge passageway, as determined by the clear width opening of the entrance/egress door(s). The passageway shall be as straight as possible leading directly to the street.

- D.** The only items permitted are tables, chairs, umbrellas and containers for the disposal of recyclable cans/bottles and garbage.
- E.** Restaurateurs shall not place any table, sign, umbrella or other item in such a manner as to block any municipal signs, receptacles for garbage, public benches or other public amenity, including fire hydrants.
- F.** Restaurateurs must provide for the disposal of recyclable cans/bottles and garbage. Public receptacles for garbage shall not be used. Sidewalk areas shall be kept clean during hours of operation. Litter shall not be permitted on adjoining sidewalks or property.
- G.** Restaurateurs are prohibited from serving drivers or passengers of vehicles. All customers must be seated throughout their meal.
- H.** Restaurateurs are prohibited from using public utility hookups.
- I.** All sound systems are prohibited.
- J.** All food preparation shall be in the regular kitchen area of the restaurant, not outside.
- K.** All outdoor food service is subject to the regulations contained in Chapter 12 of the New Jersey Sanitary Code.
- L.** The placement of outdoor tables shall be limited to the area immediately in front of the existing and/or properly approved restaurants, cafes or eating establishments. No portion of any sidewalk dining equipment, including chairs, tables and opened umbrellas, shall encroach upon the sidewalk area in a manner to block, impede or cover adjacent storefronts, doors or windows in front of other business establishments.
- M.** Sidewalk dining may commence all year long, weather permitting.
- N.** Permissible hours of operation shall be from 7:00 a.m. to 10:00 p.m.
- O.** No alcohol service or consumption is permitted.
- P.** Everything must be removed and sidewalks must be washed daily by 10:30 p.m.
- Q.** The Township retains the right to temporarily suspend a sidewalk dining license to allow for construction activity, utility repairs, special events or for other reasons as deemed appropriate by the Township Council, with reasonable advance notice to be given to affected licensees.

§230-54 Suspension and revocation of license.

Any license may be suspended or revoked for good cause by the Township Council, including but not limited to, a misrepresentation of the information supplied in the application, the conviction of a crime, a violation of any ordinance, statute or government regulation or a violation of this article.

§230-55 Enforcement. The Township Clerk shall be responsible for licensing and the collection of fees. This chapter shall otherwise be enforced by the Construction Official, Director of Zoning, Cedar Grove Police Department and the Board of Health, as to the Sanitary Code.

- 1) The Township Clerk shall publish this Ordinance in accordance with the methods proscribed by law.
- 2) Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.
- 3) Each section of this Ordinance is independent and the holding of any section or part thereof as unconstitutional, void, or ineffective for any reason or cause shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.
- 4) This Ordinance shall take effect immediately upon final passage and publication as provided for by law.

INTRODUCED BY: Councilman Zazzali
SECONDED BY: Councilwoman Skabich

ROLL CALL VOTE				
COUNCILMEMBER	YES	NO	ABSTAIN	ABSENT
Peterson	X			
Skabich	X			
Zazzali	X			
Maceri				X
Mega	X			

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted by the Township Council of Cedar Grove, in the County of Essex, following public hearing, at its meeting held on December 8, 2025.



Dale A. Forde
Township Clerk

