

**RESOLUTION NO. 125-2019  
AUTHORIZING A REFUND FOR A  
SIDEWALK CAFÉ PERMIT**

Councilmember Leckstein introduced and offered the following resolution for approval; seconded by Councilmember Birdsall:

**WHEREAS**, the Borough of Sea Bright offers permits for sidewalk cafés as a permitted use for restaurants in the B-1 zoning district; and

**WHEREAS**, on June 20, 2019, the Borough received a sidewalk café permit application from 376 Ocean Ave, LLC, t/a Ocean House Tap & Grill along with the \$100.00 application fee; and

**WHEREAS**, said application has been withdrawn as it has been determined that the sidewalk café permit cannot be issued unless a place-to-place transfer is approved by the New Jersey Division of Alcoholic Beverage Control (ABC) to expand the premises of the licensed area on to the sidewalk; and

**WHEREAS**, the applicant has requested a refund for the payment of \$100.00; and

**WHEREAS**, the Borough Council agree that the payment of \$100.00 be refunded.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby authorize a refund in the amount of \$100.00 for the payment of a sidewalk café permit to:

376 Ocean Ave, LLC

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the following:

1. Finance Manager
2. 376 Ocean Ave, LLC

<b>Roll Call:</b>	Birdsall,	Keeler,	Kelly,	Leckstein,	Rooney,	Schwartz
	Yes	Yes	Yes	Yes	Yes	Yes

July 16, 2019

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 16, 2019.

  
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Christine Pfeiffer, Borough Clerk