

ORDINANCE NO. 06-2021

AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF SEA BRIGHT, CHAPTER 172, "SIDEWALK CAFES AND RESTAURANTS", SECTION 2, "APPLICATION FOR LICENSE" AND SECTION 6, "VIOLATIONS AND PENALTIES."

SECTION ONE. Chapter 172 "Sidewalk Cafes and Restaurants", Section 172-2 "Application for license," of the Code of the Borough of Sea Bright be and the same is hereby amended as follows:

§ 172-2 Application for License.

B. An applicant proposing to establish a sidewalk café area shall submit to the Borough Clerk ~~a sketch of the proposed seating area which shall include but not be limited to a depiction of all aisles, clearances between tables and the seating area at the curb.~~ an accurate diagram showing placement of tables and chairs, total number of people permitted for seating, a depiction of all aisles, clearances between tables and between the seating area at the curb. No less than four feet of unobstructed sidewalk shall be open and maintained for pedestrians. Any umbrella or other cover shall maintain a clearance of not less than seven feet for the fabric and not less than eight feet for any frame or rigid material.

SECTION TWO. All other provisions of § 172-2, "Application for License," remain unchanged and remain in full force and effect.

SECTION THREE. Chapter 172 "Sidewalks and Café Restaurants, Section 172-6 "Violations and Penalties," of the Code of the Borough of Sea Bright be and the same is hereby amended as follows:

§ 172-6 Violations and Penalties

~~Sidewalk café licenses may be revoked for violating any of the provisions of this chapter, and the applicant may be ineligible to obtain a license hereunder for the year following such violation. Violators shall be subject to the penalties as provided in Chapter 1, Article I, General Penalty.~~ Sidewalk café licenses may be revoked for violating any of the provisions of This Chapter, and will be revoked where the café has been cited for more than two violations in a single calendar year. The applicant may be ineligible to obtain a license hereunder for the year following such violations. Violators will be subject to the penalties as provided in Chapter 1, Article I, General Penalty.

SECTION FOUR. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FIVE. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION SIX. This Ordinance shall take effect upon its passage and publication according to law.

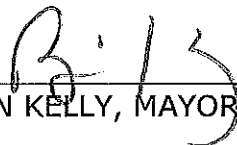
I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on April 20, 2021 and will be further considered after a Public Hearing held on May 4, 2021.

INTRODUCED: April 20, 2021
PUBLIC HEARING: May 4, 2021
ADOPTED: May 4, 2021

Witness

BOROUGH OF SEA BRIGHT


CHRISTINE PFEIFFER, CLERK


BRIAN KELLY, MAYOR