

ASSEMBLY, No. 5139

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

SYNOPSIS

Concerns restaurant tents during coronavirus disease 2019 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/11/2021)

1 AN ACT concerning restaurant tents during the coronavirus disease
2 2019 pandemic.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Notwithstanding any law, rule, or regulation to the
8 contrary, restaurants, cafeterias, dining establishments, and food
9 courts, with or without a liquor license, bars, and all other holders of
10 a liquor license with retail consumption privileges, collectively
11 referred to as “food or beverage establishments,” may seat patrons in
12 an open air space that has a fixed roof or temporary or seasonal
13 awning or cover with at least two sides through which egress is
14 possible, provided that the fixed roof or temporary or seasonal
15 awning or cover is anchored, staked, or fastened in any manner.

16 b. A food or beverage establishment shall not seat a patron in an
17 open air space as provided in subsection a. of this section if the roof,
18 awning, or cover has accumulated more than two inches of snow,
19 unless the roof, awning, or cover is certified pursuant to chapter 23
20 of Title 5 of the New Jersey Administrative Code to hold a snow load.

21
22 2. This act shall take effect immediately and shall expire upon
23 the expiration of Executive Order No. 103, or any extension thereof
24 or any replacement therefor.

25

26

27

STATEMENT

28

29 This bill would allow restaurants to seat patrons in an open air
30 space with a fixed roof or temporary or seasonal awning or cover
31 with at least two sides through which egress is possible, provided that
32 the cover is anchored. The roof, awning, or cover must not have
33 accumulated more than two inches of snow, or must be certified
34 pursuant to chapter 23 of Title 5 of the New Jersey Administrative
35 Code to hold a snow load. The intent of this bill is to exempt
36 restaurants from certain requirements on snow certification during
37 the coronavirus disease 2019 pandemic.