

Township of Nutley
Outdoor Café
Checklist

- Complete the outdoor seating/café application cover page. Permits will only be issued after sign-offs by the Municipal Construction Official, Health Officer, Fire and Police Department.
- Include a property survey with the application.
- A description of the property that is intended to be used for expansion. E.g. parking lot, deck, sidewalk, public right-of-way. If the property to be used is not contiguous with the business, include the location and description of the property.
- If the property intended to be used is not owned by the business owner, provide support to demonstrate that the business has the legal right to use the property.
- If the intended property is owned by the Municipality, County or State, provide support to demonstrate that the business has a legal right to use the property. The following must be provided to the County or State:
 - A description of the property to be used
 - General Liability coverage naming the County or State
 - An Indemnification Affidavit naming the County or State
 - A copy of the layout plan
- Provide evidence of General Liability Insurance Policy naming the Township of Nutley and/or Essex County with the following minimum coverage limits:
 - Bodily injury: \$300,000 each person, \$1,000,000 each accident
 - Property damage: \$300,000 each person, \$1,000,000 each accident
- If the business holds a current on premise retail consumption license and intends to serve alcoholic beverages in the designated outdoor area, a separate permit must be obtained from the State of New Jersey using the POSSE Online Licensing System (“POSSE”). A separate permit fee of \$75.00 is required with the application. The application once filed and approved by the State will require local certification by the Nutley Police Department and the Municipal Clerk before a permit will be issued by the State.
- A signed indemnification agreement which fully indemnifies and holds harmless the Township of Nutley and/or the County of Essex from any claims arising from this extension of premises, as appropriate.
- Provide an affidavit that affirms that the applicant has read and agrees to comply with Executive Order 150, Department of Health Executive Directive 20-014 and as appropriate the Department of Law and Public Safety, Division of Alcoholic Beverage Control Special Ruling for the Extension of Premises.
- **A layout plan of the proposed space to be used for outdoor seating that meets both local Ordinances and Covid -19 requirements.**

- **Four sets** of a proposed layout plan containing scaled drawings which clearly meets the following criteria:
 - A defined perimeter space to be used for outdoor seating. **NOTE:** The identified outdoor space must not contain doors or windows and shall be an open air space at all times to comply with Covid-19, when necessary. Awnings or outdoor umbrellas extending over the enclosure space are permitted but must conform to all existing regulations, including the municipal Sign Ordinance
 - Clear identification of the type of materials and location of all security/safety measures, inclusive of live plantings.
 - Number, type, color and location of all tables, chairs, umbrellas or other furnishings or fixtures. Tables location must comply with social distancing limitations and ensure that seats do not violate the 6 feet minimum distance in all directions. Generally, 10 feet between tables if seating is on all sides.
 - Type and location of any proposed outdoor lighting and fixtures.
 - Clearly marked location and a minimum of 4 feet of unobstructed pedestrian traversing areas permitting the free passage of pedestrian traffic around or through the designated area.
 - Location of any door leading from the eating establishment to the outdoor cafe. Doorways must be unobstructed at all times.
 - Location of the place where any food or drink is intended to be prepared.
 - Illustration of the enclosure or protective barrier separating the eating and serving area of the cafe from pedestrian traffic.
 - Location of all fire hydrants, parking meters, utility poles, benches, handicap ramps, street furniture, trees and any other fixtures permanently located on the sidewalk in front of the eating establishment or within 10 feet thereof on either or any side.

- An application fee shall be \$100. **TEMPORARILY WAIVED**