

There are two different sidewalk cafe licenses.

- Seasonal: March 15 – November 30 and may only operate between December 1- March 14 when the temperature rises above 55 degrees
- Full Year: Operate on any day of the year and without restrictions on weather.

**This document outlines rules and regulations in plain language related to the Full Year Licenses. Full ordinance can be viewed [here](#).**

Full-Year Sidewalk Cafés may install semi-permanent structures that are not permanently affixed to the street, sidewalk, or buildings and can be removed or repositioned, and shall comply with all applicable state regulations. These structures can include:

- **Roofs** - may not extend beyond the boundaries of the sidewalk café area and shall have a maximum material thickness of 2 inches. Roof supporting elements may be no closer than 24 inches on center. Roofs may be no higher than 12 feet and no lower than 8 feet from the café floor
- **Partitions** along the outer edges - may be installed on no more than 3 sides of the sidewalk café area and may extend no higher or wider than partition size limits (no less than 30 inches in height and no more than 36 inches in height, providing one opening for entrance and exit which is no less than 42 inches in width and no more than 60 inches in width, and whose boundaries allow patrons and pedestrians to clearly ascertain the entrance and exit to the sidewalk café area.)

Openings between the partition and the roof (if applicable) may be covered with see through materials such as plastic sheeting or plexiglass, but standard glass is prohibited and coverings may not be placed on more than 2 sides at any one time. Partitions may be no thicker than 6", except for supporting elements of the roof.

Sidewalk Cafés must store all structural materials inside the premises overnight or undergo review and approval from the Zoning Board of Adjustment.

Full-Year Sidewalk Cafés may use lighting, heating, and air circulation devices. These should be placed within the boundaries of the sidewalk café and minimize the impact on adjacent cafes, businesses, buildings, and pedestrians.

a)Outdoor heating devices are subject to fire code inspection

b)Full-Year Sidewalk Cafés with heating devices must position the heating devices in accordance with NJ Fire code:

a.not closer than 5' to combustibles

b.Not closer than 5 feet from exits

c.Not inside tents or canopies and membrane structures. Cafes must have an open roof area within 5 feet of where heating devices are present

Unless otherwise stated, entertainment is permitted within the boundaries of the sidewalk café no more than one (1) event per week and shall be limited to four (4) performers. All entertainment is required to conclude by 8:00 pm.

**Sidewalk Cafés alongside any Pedestrian Mall/Plaza area are subject to the following additional rules and regulations:**

The café area must provide a clear walkway of at least 5 feet along the sidewalk through the café for ADA access. All areas of sidewalk cafes must provide for sufficient ADA access to both the café areas and sidewalks.

The café in the street may extend no further than 3 feet from the farthest edge of the double yellow line if the Pedestrian Mall only includes one travel lane on the same side of the street as the café

The cafe may extend no further than 6 feet from the center of the street if the Pedestrian Mall includes a closure of the entire roadway

The café area may only extend beyond the property boundaries of the business with written approval from adjacent property owners and businesses, and shall not extend more than 20 feet beyond the property line in either direction.

Sidewalk Café license holders are responsible for snow and ice removal as well as the cleanliness of the entire sidewalk area.

Sidewalk Cafés on any pedestrian mall/plaza shall have no more than 1 live performance at a time, and live performances are permitted only on Thursdays, Fridays, and Saturdays. No amplified music is permitted that is audible beyond the boundaries of the café.

**Parklets**

Parklets must comply with all applicable ADA requirements.

Businesses may only install parklets in no more than two (2) parking spaces directly in front of the business. Any parking spaces that extend beyond the property lines for the business shall require approval in writing from adjacent property owners and businesses.

Parklets must be independently approved by the Division of Commerce and the Division of Engineering, Traffic and Transportation.