

# ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE

## STATEMENT TO ASSEMBLY, No. 3708

with committee amendments

# STATE OF NEW JERSEY

DATED: MAY 19, 2022

The Assembly Commerce and Economic Development Committee reports favorably and with committee amendments Assembly Bill No. 3708.

This bill, as amended, would expand the time period during which certain restaurants, bars, distilleries and breweries would be allowed to utilize tents, canopies, umbrellas, tables, chairs, and other fixtures on the properties on which their establishments are located. The law that currently allows these businesses to use tents, canopies, umbrellas, tables, chairs, and other fixtures to expand their capacity to serve clients would otherwise expire on November 30, 2022. This bill would extend that date until November 30, 2024.

Additionally, this bill allows the use of tents, canopies, umbrellas, tables, chairs, and other fixtures on these properties as long as the tent, canopy, umbrella, table, chairs, or other fixture conforms to all applicable fire safety and construction code provisions. The bill specifies that these tents, canopies, umbrellas, tables, chairs, and other fixtures will be deemed a permitted use for the time period encompassing the first day of April through the first day of December for each additional year in which P.L.2021, c.15 is in effect. This bill clarifies that any administrative rule or regulation which otherwise limits the use of tents or other fixtures to 180 days or less will be inapplicable during the time that P.L.2021, c.15 is in effect. The bill, as amended, further clarifies that any administrative rule or regulation which governs the use of tents, canopies, umbrellas, tables, chairs, and other fixtures during the winter, specifically the time period encompassing the second day of December through the last day of March, will not be impacted by the provisions of this bill.

As amended and reported, this bill is identical to Senate Bill No. 2364 (1R).

### COMMITTEE AMENDMENTS:

The committee amended this bill to clarify that any administrative rule or regulation that governs the use of tents, canopies, umbrellas, tables, chairs, and other fixtures on private or public property or right

of way designated by a municipality, for the time period encompassing the second day of December through the last day of March, is not to be impacted by this bill.