

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 5139

STATE OF NEW JERSEY
219th LEGISLATURE

ADOPTED JANUARY 13, 2021

Sponsored by:

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District 6 (Burlington and Camden)

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SYNOPSIS

Eases certain food and beverage establishment tent requirements during coronavirus disease 2019 pandemic.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Commerce and Economic Development Committee.



(Sponsorship Updated As Of: 3/25/2021)

1 AN ACT concerning the use of awnings or tents by food or beverage
2 establishments during the coronavirus disease 2019 pandemic.

3

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

6

7 1. a. Restaurants, cafeterias, dining establishments, and food
8 courts, with or without a liquor license, bars, and all other holders
9 of a liquor license with retail consumption privileges, collectively
10 referred to as “food or beverage establishments,” may seat patrons
11 in an open air space that has a fixed roof or temporary or seasonal
12 awning or cover with at least two sides through which egress is
13 possible, provided that the fixed roof or temporary or seasonal
14 awning or cover complies with applicable requirements under law.

15 b. A food or beverage establishment may seat a patron in an
16 open air space as provided in subsection a. of this section without
17 complying with any requirement concerning snow loads, except
18 when the roof, awning, or cover has any presence of snow, unless
19 the roof, awning, or cover is certified to hold a snow load pursuant
20 to the State Uniform Construction Code.

21

22 2. This act shall take effect immediately and shall expire on the
23 later of:

24 (1) the date of expiration, termination, or rescission of any and
25 all executive or administrative orders issued by the Governor or
26 Commissioner of Health establishing coronavirus-related occupancy
27 or customer seating restrictions applicable to food or beverage
28 establishments; or

29 (2) the first day of the seventh month next following the date on
30 which the Governor declares that the state of emergency has ended.