

SENATE, No. 62

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

Concerns restaurant tents during coronavirus disease 2019 pandemic.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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

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

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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
10 of a liquor license with retail consumption privileges, collectively
11 referred to as “food or beverage establishments,” may seat patrons
12 in 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
17 an open air space as provided in subsection a. of this section if the
18 roof, awning, or cover has accumulated more than two inches of
19 snow, unless the roof, awning, or cover is certified pursuant to
20 chapter 23 of Title 5 of the New Jersey Administrative Code to hold
21 a snow load.

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

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STATEMENT

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