

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2020-140

Council Meeting Date: 06-08-2020

Date Adopted: 06-08-2020

TITLE RESOLUTION AUTHORIZING SIDEWALK SALES IN THE NEW PROVIDENCE DURING THE 2020 PANDEMIC.

Councilperson Muñoz submitted the following resolution, which was duly seconded by Councilperson Cumiskey.

WHEREAS, The Borough Council recognizes the impact of the COVID pandemic on our local businesses, and;

WHEREAS, §310-36 of the Borough Code regulates sidewalk sales in the Borough. The Borough Council, through this resolution is temporarily modifying the provisions as a means of helping our business community recover as outlined herein, and;

WHEREAS, this authorization will become effective June 9, 2020, and;

WHEREAS, this authorization will be reviewed as necessary to assure the guidelines outlined herein are being followed, and;

WHEREAS, this authorization will sunset once the governor rescinds the executive orders limiting interior capacity of businesses.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that sidewalk sales are permitted as outlined herein.

- Merchant must be deemed “non-essential” by state guidelines. This economic relief is strictly for businesses that are not allowed customers indoors due to Executive Orders 107 and 142.
- All contact between the merchant and the customer MUST be minimal.
- The merchant must enforce social distancing requirements at all times. The social distancing must be supervised by merchant or employee to maintain the required 6 feet between parties.
- The merchant shall have hand sanitizer available for the use of the merchant, employee, and customer. The merchant must provide employees with ample opportunity for hand washing at reasonable periodic intervals and follow the other requirements imposed by Executive Orders 122 and 150.
- The merchant, employee, and customer must wear an appropriate face covering at all times.
- Merchandise shall only be displayed immediately in front of the business and not extend beyond that area, unless specific authorization is received from the adjacent business owners.

- Business owners shall assure that adequate room is available on the sidewalk for passerby's.
- Display of merchandise shall be permitted every day of the week. However, display of merchandise shall not occur before 9 AM. All display racks, tables and merchandise must be removed each night completely and stored indoors by 7 PM.
- These guidelines are subject to change pending modification of existing Executive Orders or imposition of additional Executive Order restrictions.
- No patron access to store unless permitted by Executive Order of the Governor.
- Front door to be monitored by employees.

APPROVED, this 8th day of June, 2020.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
CUMISKEY	X			
DESARNO	X			
GEOFFROY	X			
MATSIKLOUDIS	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 8th day of June, 2020.

Wendi B. Barry, Borough Clerk