



**BOROUGH OF LAVALLETTE
ZONING / CODE ENFORCEMENT**

1306 Grand Central Avenue
Lavallette, NJ 08735
(732) 793-5105
Fax (732) 830-8248
zoning@lavallette.org

FEE - \$75

BLOCK_____

LOT_____

**Outdoor Food and Beverage Service
Zoning Application**

Grand Central Avenue

Curb

+
15'
+

Business Name _____

Address on Grand Central Avenue _____

Phone Number _____ (REQUIRED)

Email _____ (REQUIRED)

Length X Width = Sq Ft. ÷ 15 = _____ Seats

Show placement of tables, chairs and receptacles in shaded area above (Please do not attach additional drawing). Show temporary outline of seating area. (Plants, Ropes, Stanchions etc.) Present Retail Food Establishment License.

Approved: _____ Date: _____ Zoning Officer: _____

Chapter 50. Sales

Article II. Outdoor Food and Beverage Service

§ 50-4. Definitions.

As used in this article, the following terms shall have the meanings indicated:

SEASONAL BASIS

The period between April 1 and November 30 in any given year.

§ 50-5. Outdoor service.

There shall be no outdoor food and beverage service of any kind within the Borough within an area of 30 feet back from the curb of any street within the Borough, with the following exception:

A.

Outdoor food and beverage service along Grand Central Avenue. Holders of retail food establishment licenses whose businesses are operated on Grand Central Avenue may provide outdoor sidewalk seating on a seasonal basis in accordance with the provisions of this article.

B.

The standards for outdoor sidewalk seating shall be as follows:

(1) Tables and chairs may only occupy the area directly in front of that portion of the retail food establishment along Grand Central Avenue, including the front portion of adjacent property with permission by the owner of the adjacent property. Outdoor sidewalk seating is permitted along a side street adjacent to the premises and property only where the retail food establishment license holder is located.

[Amended 4-18-2022 by Ord. No. 2022-03 (1221)]

(2) Tables and chairs shall not be permitted within 15 feet from the curblines. Tables and chairs shall not be permitted beyond the property lines of the premises and property where the retail food establishment license holder is located.

[Amended 4-18-2022 by Ord. No. 2022-03 (1221)]

(3) Sufficient receptacles for trash and recyclable material must be provided in the outdoor sidewalk seating area.

(4) Temporary markings, such as plants, ropes, stanchions or decorative fencing, must be placed at the fifteen-foot setback area to outline the outdoor sidewalk seating.

(5) The outdoor sidewalk seating area must be kept free of all refuse.

(6) Table service by food servers is permitted in the outdoor sidewalk seating area, but no food server station is permitted outside the confines of the building of the retail food service establishment.

(7) Alcoholic beverages shall not be served or consumed in the outdoor sidewalk seating area, unless this outdoor seating area is included within the licensed premises of an establishment holding a plenary retail consumption liquor license. Additionally, any such licensed premises shall still be required to comply with all their other requirements of this article.

C. Outdoor sidewalk seating shall require the holder of the retail food establishment license to apply to the Borough for a zoning permit annually. A fee of \$75 shall be paid to the Borough with each application. The application for said zoning permit shall set forth the following information:

[Amended 2-9-2009 by Ord. No. 2009-01 (1054)]

(1) The site plan showing the area in front of the building of the licensed retail food establishment.

(2) The number of tables and chairs and their proposed placement in the outdoor sidewalk area.

(3) Number of receptacles for trash.

D.

Issuance of permit. The Zoning Officer shall issue a permit for outdoor sidewalk seating upon payment of the permit fee of \$75 and submission of a zoning permit application complete with the criteria set forth in § **50-5C(1)** to **(3)**.

[Amended 2-9-2009 by Ord. No. 2009-01 (1054)]