



**CITY OF HOBOKEN**  
**OFFICE OF THE MAYOR**  
**EXECUTIVE ORDER**

**EXECUTIVE ORDER SETTING FORTH REGULATIONS TO ENSURE CONTINUED  
PUBLIC SAFETY DURING THE REOPENING OF BUSINESSES IN THE MIDST OF  
THE COVID-19 PANDEMIC**

**CITY OF HOBOKEN**

**No.:**

**EXECUTIVE ORDER**

**Date: June 22, 2020**

**WHEREAS**, the COVID-19 pandemic State of Emergency has been ongoing in the City of Hoboken and the State of New Jersey since early March 2020; and,

**WHEREAS**, Governor Murphy has been slowly lifting operational restrictions, including issuing Executive Order No. 150 on June 3, 2020, which allows for outdoor dining and the ability for liquor license holders to expand the premises on which they may serve alcohol, starting on June 15, 2020; and,

**WHEREAS**, on June 3, 2020, the City of Hoboken passed an ordinance adding Chapter 168A to the Hoboken City Code to expand the outdoor capacity for local businesses utilizing a variety of creative options such as “parklettes” and “strEATeries”; and,

**WHEREAS**, although outdoor dining is now permitted, it remains imperative to ensure that patrons continue to practice proper safety measures, including wearing masks and social distancing as much as practicable; and,

**WHEREAS**, pursuant to N.J.S.A. 40:69A-40(c), the Mayor’s responsibilities include to supervise, direct and control all departments of the municipal government; and,

**WHEREAS**, it is necessary to set forth certain rules and regulations in regard to the enforcement of safety measures in the City of Hoboken and to emphasize the New Jersey Department of Health's protocols for offering service in outdoor areas as set forth in Executive Directive No. 20-014.

**NOW, THEREFORE**, I, Ravinder S. Bhalla, Mayor of the City of Hoboken, New Jersey by virtue of the authority vested in me by the Statutes of this State and the laws of the City of Hoboken, do hereby, **ORDER, DIRECT AND ISSUE THE FOLLOWING EXECUTIVE ORDER:**

**Section 1. Purpose of Executive Order:**

The purpose of this Executive Order is to set forth an enforcement mechanism to ensure that all relevant safety protocols as outlined in Department of Health Executive Directive No. 20-014, relevant local ordinances and state laws, and Emergency Management Orders are complied with in the implementation of outdoor dining within the City of Hoboken. Additionally, this Executive Order shall outline and emphasize those regulations of particular importance that must be followed by all establishments in order to maintain their permits and the ability to offer outdoor dining.

**Section 2. Outdoor Dining Regulations**

All Hoboken establishments (including bars and restaurants) that have been approved and permitted for outdoor dining configurations (such as parklettes, sidewalk cafes, expanded liquor license areas, and strEATeries) in accordance with the Hoboken City Code shall be required to abide by Executive Order No. 150, New Jersey Department of Health Executive Directive No. 20-014, all local ordinance regulations, state and local Alcohol Beverage Control laws, and all orders issued by the Hoboken Office of Emergency Management. In particular, maintenance of a permit by the City of Hoboken shall be conditioned upon compliance with the following regulations:

1. All businesses must require, to the extent practicable, any patrons waiting for entry into an establishment, or on the property or adjacent property to a bar, restaurant or other type of Hoboken business, to wear a face mask, and social distance at least six feet from other patrons or customers. Face masks do not need to be worn when seated at an outdoor restaurant.
2. No business is permitted to serve "to go" drinks to standing patrons while waiting for a table or entrance into an establishment.
3. The capacity of an outdoor cafe, outdoor sidewalk cafe, or any outdoor area is limited to the number of seats available, as approved by the zoning office.

4. Only patrons who are seated are able to be served at an outdoor cafe or outdoor space, and all customers must be seated while consuming beverages or food. Customers may not stand and congregate with other patrons while consuming alcoholic beverages.
5. All servers must wear a face mask and gloves, with the face mask covering both the mouth and the nose.
6. All tables and chairs must be six feet apart, measured from the back of a chair with a patron seated to the back of a chair at an adjacent table, as measured when a patron is seated.

### **Section 3. Enforcement**

The Office of Emergency Management, Zoning Office, and Police Department are hereby authorized and directed to provide a verbal warning, followed by a written warning, to any establishment found to be in violation of any of the conditions above or for failure to comply with Executive Order No. 150, New Jersey Department of Health Executive Directive No. 20-014, local ordinances, state or local Alcohol Beverage Control laws, or any current or future directives issued by the Hoboken Office of Emergency Management. If compliance is not met after the verbal and written warning and a violation is issued, the establishment may have their outdoor sidewalk cafe revoked for a period of time to be determined by the enforcing department. The warning can also take the part of a ticket issued by the Police Department for the public consumption of alcohol on an establishment's property.

### **Section 4. Regulations:**

The Office of Emergency Management, the Zoning Office, and/or the Police Department may be permitted to promulgate such reasonable internal regulations as to effectuate the intent and purpose of this Order.

### **Section 5. Severability:**

If any part of this Executive Order, or the application thereof, is held to be invalid, the remainder of this Executive Order shall not be affected thereby, and this Order shall otherwise continue in full force and effect. To this end, the provisions of this Order, and each of them, are severable.

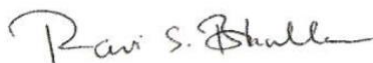
### **Section 6. Cooperation:**

All city agencies and employees shall fully cooperate with this Executive Order.

### **Section 7. Immediate Effect:**

This Executive Order shall take effect immediately and supersedes all inconsistent Executive Orders.

**APPROVED:**



June 22, 2020

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**RAVINDER S. BHALLA**  
**MAYOR**

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**DATE**

This Executive Order shall remain in the custody of the City Clerk. Certified copies are available upon request.