

RESOLUTION #51-2024
AUTHORIZING CITY OF MARGATE CITY ZONING AND CODE RELIEF FOR
BUSINESSES DURING THE NJ EXECUTIVE ORDER PERMITTING OUTDOOR
DINING ET AL *for 2024 SEASON*

WHEREAS, the City of Margate City Board of Commissioners, in the County of Atlantic, State of New Jersey desires to provide zoning and code relief to assist existing local businesses with valid mercantile licenses, which provide goods and services to primary residences, second homeowners and guests to the City of Margate City; and

WHEREAS, the intent of this relief is to help businesses restore revenue after being required to reduce business activity during the pandemic; and

WHEREAS, this relief will follow and supplement existing **Ordinance 11-2013 Outdoor Dining** by permitting eateries and other businesses to utilize Public Rights of Way and private parking areas as means to conduct business and provide “social distancing” and other measures mandated by State government and within the guidelines of the Center for Disease Control (CDC); and

WHEREAS, the Governing Body initiated further supplementing Ordinance 11-2013 by adopting Resolution #91-2023 by the extension of allowable outdoor service so that service will stop by 10:00p.m. and all outdoor music shall cease by 10:00p.m. as did resolution #138-2022; and

WHEREAS, this relief will require a temporary zoning permit which shall include a sketch of any deviations from what is currently permitted, proof of insurance indemnifying the City of Margate City if within Public Rights of Way, abiding by the requirements of Ordinance 11-2013 and additional requirements of other government agencies as deemed necessary; and

WHEREAS, the State of New Jersey has passed Senate Bill No. 2364 expanding relief in allowing extension of outdoor use for consumption and dining valid until November 2024, which still requires local authorization to permit such change of accessory uses of adjacent lands.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey hereby authorizes the Zoning Officer, Chief of Police, Chief of Fire/ Fire Inspector and the Construction Official to review said permits for any relation and concerns to public safety and issue said permits, fees waived.

BE IT FURTHER RESOLVED that the issuance of said permit is conditioned upon the recipient of such permit acknowledging in writing that the City is held harmless and indemnified for any claims or causes of action, including attorney’s fees, made or pertaining in any way to the issuance of such permit including but not limited to any determination by a third party that such permit is determined invalid or otherwise void.

BE IT FURTHER RESOLVED that the temporary zoning permit will be valid for a maximum period of six (6) months from May 1, 2024 until the end of the day of October 31, 2024 to permit temporary structures to help our local businesses recover from the economic hardship caused by the pandemic guidelines.

BE IT FURTHER RESOLVED that the temporary zoning permit may be revoked at any time for non-compliance as determined by any of the approving authorities.

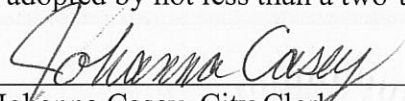
ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Collins		X	X			
Blumberg			X			
Horn	X		X			

DATE: February 15, 2024

CERTIFICATION

I, Johanna Casey, Clerk of Margate City, Atlantic County, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Commissioners of the City of Margate City at a meeting of said Commission held on February 15, 2024 and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.


Johanna Casey, City Clerk

