

BOROUGH OF HILLSDALE
RESOLUTION 20128

**RESOLUTION TO TEMPORARILY PERMIT THE SALE OF GOODS
ON THE PUBLIC SIDEWALK BY EXISTING MERCHANTS OF
THE BOROUGH OF HILLSDALE**

WHEREAS, the Borough Code of the Borough of Hillsdale does not generally permit the exterior sales of good by merchants or the exterior sales of goods on the public sidewalks or designated public areas; and

WHEREAS, due to the current COVID-19 Pandemic, Hillsdale merchants are limited by current Executive Order in the ability to sell their goods from their retail stores resulting in a detriment to the merchants and the community; and

WHEREAS, the Governing Body desires to permit local merchants the greatest possible opportunities to engage in commerce and serve residents and non-residents alike while Executive Order 107 is in effect in its present, or modified, format; and

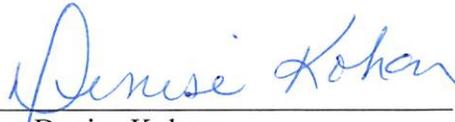
WHEREAS, the Governing Body desires to enhance and expedite the opportunities of local merchants without regard for various Ordinances, during a limited time frame, to provide for assistance of local merchants and to expedite the community's, recovery from the effects of the COVID-19 Pandemic.

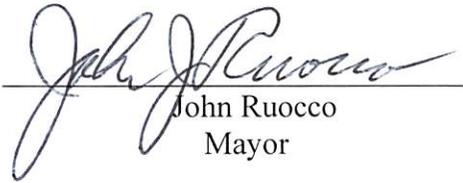
NOW THEREFORE BE IT RESOLVED as follows:

1. All merchants with existing “brick and mortar” retail stores shall be permitted to sell their merchandise on the exterior portion of their property or in that area of the public right-of-way reserved for pedestrian traffic from the curb to the front line of the building housing the retail establishment or upon other areas designated by the Borough.
2. It is understood that the manner of sale shall be similar to that of a “sidewalk sale” and shall be permitted to take place during regular business hours only.
3. Nothing herein shall permit any use of the sidewalk in a manner as to prohibit safe public passage upon the public sidewalk or render the area between the front line of the building and the curb as unsafe or unsuitable for pedestrian and wheelchair traffic.
4. All disputes as to the use of sidewalk areas, safe sidewalk access, and the specifics of exterior sales area shall reset in the sound discretion of the Construction Code Official or Zoning Officer who shall have the authority to order the adjustments of the dimensions of the sidewalk sale area as they see fit or, if necessary, revoke the privilege of the merchant to continue to conduct exterior sales.
5. All merchants shall be responsible to maintain the area between the curb and the front of the building in a manner that is clean, safe, and free of “trip hazards”.
6. Nothing herein shall serve to permit the violation of any Executive Order.
7. Nothing herein shall contravene obligations to provide for “social distancing” or otherwise operate outside the terms of mandatory or generally accepted medical advice.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony	X		X				
Escobar, John			X				
Horvath, Zoltan			X				
Lundy, Abby			X				
Pizzella, Frank		X	X				
Trochimiuk, Janetta			X				
Ruocco, John							

Adopted: June 9, 2020

Attest: 
Denise Kohan
Municipal Clerk


John Ruocco
Mayor