

BOROUGH OF HILLSDALE
RESOLUTION 20202

**RESOLUTION TO TEMPORARILY MODIFY AND SUSPEND THE
APPLICATION OF PORTIONS OF ORDINANCE CHAPTER 212 AS REGARDS
“OUTDOOR CAFES”**

WHEREAS, the Borough Code of the Borough of Hillsdale contains Chapter 212 with regard to “Outdoor Dining” which governs the use of exterior spaces, including the public sidewalks, for the service of food and drink by adjoining restaurants; and

WHEREAS, due to the current COVID-19 Pandemic, restaurants are currently limited to “take out” service and up to 25% capacity for interior seating for the service of food; and

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

WHEREAS, the Governing Body desires to enhance and expedite the opportunities of local restaurants to provide Outdoor Dining without the need for strict compliance with Chapter 212, during a limited time frame, to provide for assistance in the Dining Establishments’ and the community’s recovery from the effects of the COVID-19 Pandemic.

NOW THEREFORE BE IT RESOLVED as follows:

1. All sections of Chapter 212, except as previously modified, remain in full force and effect, with the following additional modification:
Section 212-23 (Hours of Operation) shall be modified to provide that an “Outdoor Café” may serve customers as follows:
Sunday – Wednesday, customers may be served until 10:30 pm and all persons occupying the outdoor café shall vacate same no later than 11:00 p.m.;
Thursday - Saturday, customers may be served until 11:30 pm and all persons occupying the outdoor café shall vacate same no later than midnight.
All live music, if applicable, must end at 10:00 p.m.
2. Nothing herein shall serve to permit the violation of any Executive Order.
3. Nothing herein shall contravene obligations to provide for “social distancing” or other operate outside the terms of mandatory or generally accepted medical advice.
4. Restaurants shall be permitted to provide an “Outdoor Café” 7 nights per week until November 30, 2020.

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

Adopted: October 13, 2020

Attest: Denise Kohan
Denise Kohan
Municipal Clerk

John J. Ruocco
John Ruocco
Mayor