



MAPLEWOOD TOWNSHIP
TEMPORARY SPECIAL USE PERMIT
APPLICATION FOR OUTDOOR DINING



.....

Date: _____

I, the undersigned hereby respectfully make application to conduct an Outdoor Café on premises, located at:

Address:

OWNER/OWNERS of said premises: (All persons with 10% or greater interest)

NAME

ADDRESS

PHONE NUMBER

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE NUMBER</u>

Trade Name of Premises: _____

Names of all establishments where applicant operates an Outdoor Café:

Manager, if different than owner:

Name: _____ Address: _____ Phone: _____

If applicant is not the building owner, we must have written consent from the building owner to operate the Outdoor Café.

Other items required:

1. Three sets of plans including layout and composition of tables (hand sketch acceptable)
2. Fee, Dates
3. Certificate of Insurance Naming the Township of Maplewood as an additional insured – Bodily Injury/Property Damage (\$1,000,000)
4. Hold Harmless Agreement
5. Attestation

Once your application is returned, an inspector from the Township's Building Department will inspect your site.

If you do not own the building where your restaurant is located, your landlord MUST submit in writing that they approve of you applying for an outdoor dining license. This letter MUST be included in your application

Narrative (Must be submitted at time of application):

Official Use Only

THE ABOVE EVENT HAS BEEN REVIEWED BY THE FOLLOWING DEPARTMENTS:

	<u>APPROVED</u>	<u>DISAPPROVED</u>	<u>INITIALS</u>
Police Department	_____	_____	_____
Fire Department	_____	_____	_____
Health Department	_____	_____	_____
DPW	_____	_____	_____
Recreation Department	_____	_____	_____

THIS APPLICATION HAS BEEN: _____
APPROVED DENIED

Township Clerk: _____

ELIZABETH J. FRITZEN



MAPLEWOOD TOWNSHIP

Event Guidelines

The following guidelines are provided to assist groups and organizations with the event application process and provide information.

Events are things such as:

- *Events in Township of Maplewood Buildings
- *Events in Public Roadways
- *Events in Township Parks
- *Block Parties
- *Sidewalk Retail Services

A. General Information of all Events

- 1.) The Township requires advance notification of 30 days for any event.
- 2.) Insurance – A certificate of insurance in the amount of \$1,000,000.00 is required, to be submitted prior to the event. The Township of Maplewood MUST be named as “Additional Insured”.
- 3.) Hold Harmless Agreement
- 4.) The following Township Departments will review your application once submitted to the Township Clerk.
 - A.) Business Administrator – Administration
 - B.) Police Chief – Police Department
 - C.) Fire Chief – Fire Department
 - D.) Health Officer – Health Department
 - E.) Director of Public Works – Public Works Department
 - F.) Code Enforcement Officer – Building Department
 - G.) Director of Recreation and Cultural Affairs - Recreation Department



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Event Guidelines

- 5.) ~~Each application for an event permit shall be accompanied by a non-refundable fee of \$25.00~~
- 6.) If you require barricades, cones, no parking signs, etc. – this request must be submitted on your application. A deposit of \$25.00 is required at time of application for use of Township barricades.
- 7.) Each application for an event permit shall be accompanied by a \$50.00 deposit for recycling containers which will be provided by DPW.
- 8.) If you have food at your event. Food Services shall adhere to Health Department regulations. Non Maplewood Food vendors may be issued a one day license. Contact the Health Department for further detailed information and the Township Clerk for an application.
- 9.) A map or sketch of facility or park must be included with application.
- 10.) Fifty (50) percent of Police cost will be your responsibility. The number of Maplewood Police Officers required for the safety of your event is determined by the Township of Maplewood.

B. Guidelines for Games of Chance (Bingo and Raffle Licenses)

- 1.) A copy of valid registration certificate bearing the Organizations name and ID Number must be presented at the time of application for Bingo and Raffle license is requested.



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Event Guidelines

A qualified organization MUST receive an identification number from the Control Commission prior to making an application for bingo or Raffle License in the municipality where the games are to be conducted.

2.) The license application is filed in quadruplicate. It must be signed by at least two different members and notarized.

3.) An application must include any all necessary attachments (Such as schedule of games for bingo, equipment lessor statement, a sample ticket/calendar, list of wheels and games, statement of landlord and required fees).

4.) Fee is paid to the Township and Legalized Games and Chance Control Commission (LGCCC), fee depends on value of prizes offered.

5.) Off-premise raffle: need two copies of sample ticket, 50/50 raffle-1/2 of proceeds go to winner.

6.) Merchandise must be legal prize.

7.) Approximately four weeks are needed to process applications, depending on when the application is brought in.

8.) Canister Drives – Non-profit organizations may apply for a permit if this is a part of the event by contacting the Township Clerk.



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Event Guidelines

C. Rental of Township Facilities

1.) Applications should be filed at least four (4) weeks in advance of the time facility usage is desired.

Building Rental and Contact Information:

Maplewood Community Center... (973) 763-5287
Burgdorff Cultural Center..... (973) 843-7157
Maplewood Memorial Library..... (973) 762-1622
Hilton Branch Library (973) 762-1688
The Woodland (973) 843-7157

D. Park Reservations for Groups/Organizations

For availability (973) 762 8120 ext.4004

1.) Open flames or burning of fires for the purpose of cooking food for human consumption in Township Parks and Playgrounds is not permitted. You may picnic with sandwiches and non-grilled items. Large groups should contact the Recreation Department for reservation of space.

2.) Consumption of alcoholic beverages in Municipal facilities and parks is strictly prohibited. (Some building exemptions)
Contact the Township clerk for regulations and requirements.

3.) The Township of Maplewood takes great pride in its buildings and parks. Residents are reminded that they should leave facilities and grounds as they found them. Please utilize our garbage cans and recycling bins. Maplewood Recycles!



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E. Block Parties

1.) Residents and neighborhood associations may apply for block party permits in the Office of the Township Clerk. Signature authorization acknowledging the party must be obtained by every affected property in order to block off a Township Street. A deposit of **\$25.00** is required at the time of application for use of Township barricades.

F. Banners

Banner program discontinued.

All Food Vendors:

All vendors that will be cooking or keeping food hot at public events using any type of open flame: Sternos, propane grills, portable stoves, charcoal grills, etc. are required to obtain a Type 1 Fire Safety Permit for the use of open flame producing device. This includes food trucks as well. The cost of the permit is **\$55.00**. On the day of the event an inspection will be performed to ensure that all requirements for the Fire Safety Permit are met. Attached are a copy of the Fire Safety Permit application as well as information relating to outdoor cooking and the use of a cooking tent/canopy. The use of a canopy is not required but if you do use one it will be required to have a certificate of flame resistance or a label on it that states that it is Flame Resistant.

All permit applications for events must be submitted to the Clerk's Office at the address listed above 10 days prior to an event.

If you have any additional questions or concerns please do not hesitate to contact me.

Best regards for a successful event,

Michael Weber
Chief of Department / Fire Official



MAPLEWOOD TOWNSHIP
Event Guidelines
Fire Guidelines

The Uniform Fire Code states:

"Permits shall be required, and obtained from the local enforcing agency for the activities specified in this section, except where they are an integral part of a process or activity by reason of which a use is required to be registered and regulated as a life hazard use. Permits shall at all times be kept in the premises designated therein and shall at all times be subject to inspection by the fire official." [N.J.A.C. 5:70 – 2.7 (a)]

APPLICATION FOR PERMIT

Date of application: _____

Location where the activity will occur: _____

Date: _____ Time: _____ Applicant Name: _____

_____ Address: _____

Organization Name: _____

Phone/Fax Number: _____ Emergency#: _____

Block/Lot: _____ Registration#: _____

The above named applicant hereby requests permission to conduct the following activity at the above indicated location: _____

And for the keeping, storage, occupancy, sale, handling or manufacture of the following:

(State quantities for each category to be stored, or used and the method stored or used:)

I hereby acknowledge that I have read this application and the information given is correct. I am the owner or duly authorized to act in the owners behalf and as such hereby agree to comply with the applicable requirements of the fire code as well as any specific conditions imposed by the fire official.

Applicant Signature _____ Fire Official Signature _____

**Note: There are five types of permits.
See attached sheets for type and fee.**

Permit Type: _____ Fee amt: _____



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Event Guidelines

Type 1 Permit is \$55.00

1. Bonfires
2. The use of a torch or flame-producing device to remove paint from, or seal membrane roofs on, any building or structure;
3. The occasional use of any non-residential occupancy other than Use Groups F, H, or S for group overnight stays of a person over 2 – ½ years of age, in accordance with section F – 709.0 of the Fire Prevention code;
4. Individual portable kiosks or displays when erected in a covered mall for a period of less than 90 days, and when not covered by type 2 permit;
5. The use of any open flame or flame producing device, in connection with any public gathering, for purposes of entertainment, amusement, or recreation;
6. Welding and cutting operations except where the welding and cutting is performed in areas approved for welding and is registered as a type B Life Hazard use;



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7. The possession or use of explosives or blasting agents, other than model rocketry engines regulated under N.J.A.C. 12.194;
8. The use of any open flame or flame-producing device in connection with the training of non-fire service personnel in fire suppression or extinguishment procedures;
9. The occasional use in any building of a multipurpose room with a maximum permitted occupancy of 100 or more for amusement, entertainment or mercantile type purposes.
10. The storage or handling of class 1 flammable liquids in closed containers of aggregate amounts of more than 10 gallons, but not more than 660 gallons inside a building, or aggregate amounts of more than 60 gallons, but not more than 660 gallons outside a building.
11. The storage or handling of class 2 or 3A combustible liquids in closed containers or aggregate amounts of more than 25 gallons but not more than 660 gallons, or more than 60 gallons but not more than 660 gallons outside a building.
12. Any Permanent cooking operation that requires a suppression system in accordance with N.J.A.C. 5:70-4.7



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(g) and is not defined as a life hazard use in accordance with N. J. A. C. 5:70-4.

13. They use as a place of public assembly, for a total of not more than 15 days in a calendar year, of a building classified as a commercial farm building under the Uniform Construction Code.

Type 2 Permit – \$166.00

1. Bowling lane resurfacing and bowling pin refinishing involving the use and application of flammable liquids or materials.
2. Fumigation or thermal insecticide fogging;
3. Carnivals and circuses employing mobile structure used for human occupancy;
4. The use of covered mall in any of the following manners;
 - a. Placing or constructing temporary kiosks, display booths, concession equipment or the like in more than 25 percent of the common area of the mall;
 - b. Temporarily using the mall as a place of assembly;
 - c. Using open flame or flame devices;



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Event Guidelines

- d. Displaying liquid or gas fueled powered equipment;
or
 - e. Using liquefied petroleum gas, liquefied natural gas,
and compressed flammable gas in containers
exceeding 5 pound capacity.
5. Storage outside of buildings of LP-gas cylinders what a
part of a cylinder exchange programs.

Type 3 Permit – \$331.00

- 1. Industrial processing ovens or furnaces operating at
approximately atmospheric pressure and temperatures not
exceeding 1400 degrees Fahrenheit which are heated with oil
and gas fuel or which contain flammable vapors from the
product being processed.
- 2. Any wrecking yard or junk yard; or
- 3. The storage or discharge of fireworks

Type 4 Permit – \$497.00

- 1. Storage or use at normal temperature and pressure or more
than 2000 cubic feet of flammable compressed gas or 6000



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cubic feet or non-flammable compressed gas;

2. The production or sale of cryogenic liquids; the storage or use of more than 10 gallons of liquid oxygen, flammable cryogenic oxidizers; or the storage of more than 500 gallons of non-flammable, non-toxic, cryogenic liquids;

3. The storage, handling, and processing of flammable, combustible, and unstable liquids in closed containers and portable tanks in aggregate amounts of more than 660 gallons;

4. To store or handle (except medicines, beverages, foodstuffs, cosmetics, and other common consumer items, when packaged according to commonly accepted.

a. More than 55 gallons of corrosive liquids;

b. More than 500 pounds of oxidizing materials;

c. More than 10 pounds of organic peroxides;

d. More than 500 pounds of nitromethane;

e. More than 1000 pounds of ammonium nitrate;

f. More than one microcurie of radium not contained in a sealed source;



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- g. More than one millicurie of radium or other radiation material in a sealed source or sources;
- h. Any amount of radioactive material for which the specific license from the Nuclear Regulatory Commission is required; or
- i. More than 10 pounds of flammable solids.

5. The melting, casting, heating, treating, machining or grinding of more than 10 pounds of magnesium per working day; or

Type 5 Permit – \$1,380.00

1. Reserved

NJ UNIFORM FIRE CODE: COOKING VENDOR GUIDELINES

- The following are minimum guidelines for each cooking vendor at festivals, carnivals, etc.
- A site plan may be required by the Fire Official prior to event.

FIRE SAFETY PERMIT: Cooking vendor permits – a permit application shall be submitted **10 days prior** to the event for each vendor for every event.

N.J.A.C. 5:70-2.7(a); All cooking vendors shall be required to apply for a fire safety permit, issued by the Maplewood Fire Department. All permits shall be made available to the fire official upon inspection.

N.J.A.C. 5:70-2.9(c)1; 1E05/1L12 Type Permit Fee \$55.00 will be accepted-vendors shall apply and pay the permit fee. Permits will not be issued unless payment is made in full. This is an application processing fee and is not refundable.

N.J.A.C. 5:70-2.7(f); The fire official upon inspection may deny or revoke a permit at any time; this can be due to failure to meet the permit conditions, unabated fire code violations or unsafe conditions.

FIRE EXTINGUISHER: All cooking vendors shall supply their own fire extinguishers.

N.J.A.C. 5:70-3, 906.2; All fire extinguishers shall comply with NFPA 10/2002. All fire extinguishers shall have a valid dated inspection tag, good of one year.

N.J.A.C. 5:70-3, 904.11.5; Class K portable fire extinguishers are required for cooking with vegetable or animal oils and fats.

N.J.A.C. 5:70-3, 904.11.5.1; Class K portable fire extinguishers are required for cooking with solid fuel.

N.J.A.C. 5:70-3, 904.11.5.2; Class K portable fire extinguishers required for deep fat fryers. (See 2006 IFC-NJ for size and quantity)

PROPANE TANK:

N.J.A.C. 5:70-3, 3003.5.3; Propane tanks shall be secured, to prevent falling over.

N.J.A.C. 5:70-3, 3801.1; Propane tanks and equipment shall comply with NFPA 58/2004.
. 5:70-3, 3803.2.1; Propane tanks shall not be taken into buildings/tents, (see 2006-1 for exceptions)

MOBILE CANTEENS, FOOD TRUCKS & COOKING TRAILERS

N.J.A.C. 5:70-4.7(g) All cooking operations that produce grease laden vapors shall be equipped with a ventilating hood, duct, and automatic fire suppression system.

N.J.A.C. 5:70-3, 904.6; Dry chemical extinguishing systems shall be maintained and inspected semi-annually as per NFPA 17/2002.

N.J.A.C. 5:70-3, 904.5; Wet chemical extinguishing systems shall be maintained and inspected semi-annually as per NFPA 17A/2002.

N.J.A.C. 5:70-3, 609.2; Excessive grease and residue buildup on kitchen exhaust systems, cleaning required.

MISCELLANEOUS:

N.J.A.C. 5:70-3, 104.3; All appliances shall be listed and labeled and approved by the fire code official. (No homemade appliances).

N.J.A.C. 5:70-3, 2403.8.2; No vehicles shall be parked within 5 feet of tents or canopies.

N.J.A.C. 5:70-3, 2404.15.3; Suitable barricades shall be provided to maintain a distance of 5 feet between the heat producing appliance and the public.

- Propane tanks between 4 and 40 lbs. shall have an Overfill Protection Device for filling in NJ.
- Propane tanks shall be hydro tested every 12 years, and not dented or badly rusted.
- Regulator shall be in good condition and the relief valve shall face away from the public areas.
- All plastic type protective caps shall be removed from all propane tanks before operating.
- Hoses shall not be frayed or cracked, and there shall not be any type of tape on the hose.
- Hoses shall not be covered with grease and shall not be swollen.
- Hoses shall not create a tripping hazard
- Only approved lighter fluid shall be used for charcoal grills.
- Sterno warmers may be used provided the fuel containers are properly protected from being knocked over and if the fuel containers are properly enclosed within the warmer units.

NJ UNIFORM FIRE CODE: TENTS/CANOPIES

N.J.A.C. 5:70-2.7(a); All vendors with tents/canopies meeting the below, shall be required to apply for a Type 1O15 fire safety permit for each vendor for every event **10 days prior to event**, issued by the Maplewood Fire Department. All permits shall be made available to the fire official upon inspection.

- All tents/canopies greater than 900 square feet with or without side panels will require a separate permit for each. (up to 16800 square feet)
- All tents/canopies greater than 30 feet in any dimension will require a separate permit for each. (up to 140 feet)
- All tents/canopies that will remain in place for fewer than 180 days.
- All tents/canopies that are used or occupied between April 1 and November 30.
- All tents/canopies that do not have a permanent anchoring system or foundation.
- All tents/canopies that contain platforms and bleachers up to 11 feet in height.

N.J.A.C. 5:70-2.9(c)1; 1O15 Type Permit Fee \$55.00 will be accepted-vendors shall apply and pay the permit fee. Permits will not be issued unless payment is made in full. This is an application processing fee and is not refundable.

N.J.A.C. 5:70-2.7(f); The fire official upon inspection may deny or revoke a permit at any time; this can be due to failure to meet the permit conditions, unabated fire code violations or unsafe conditions.

N.J.A.C. 5:70-3, 2404.12; Fire extinguishers - at least one portable fire extinguisher with a minimum 4-A rating, or two portable fire extinguishers with a minimum 2-A rating each, shall be provided in/under all tents as required by section 906.

N.J.A.C. 5:70-3, 2404.2; Tents/canopies shall be constructed of fire retardant materials or be properly treated as per NFPA 701/1999. An affidavit or affirmation shall be submitted to the fire official and a copy retained on the premises on which the tent or air-supported structure is located. The affidavit shall attest to the following information relative to the flame propagation performance criteria of the fabric:

1. Names and address of the owners of the tent, canopy, or air supported structure.
2. Date the fabric was last treated with flame-retardant solution.
3. Trade name or kind of chemical used in treatment
4. Name of person or firm treating the material
5. Name of testing agency and test standard by which the fabric was tested.

NOTE: Smaller tents/canopies may have a label attached with a flame resistance certification.

N.J.A.C. 5:70-3, 2404.5; Combustible materials and excessive trash shall not be located within any tent or canopy (min. 20 feet clearance).

NJ UNIFORM FIRE CODE: TENTS/CANOPIES - continued

N.J.A.C. 5:70-3, 2404.7; Exposed flames: Gasoline, gas, charcoal or other cooking device or any other unapproved open flame shall not be permitted inside or located within 20 feet of the tent or canopy.

- NO cooking under tents.
- NO deep fryers shall be under tents.
- NO cooking with grease laden vapors under tents.
- Note: See Bulletin 2006-1 for further information and exceptions.

N.J.A.C. 5:70-3, 2403.12.6; Exit signs are required when the exit serves and occupant load of 50 or more.

N.J.A.C. 5:70-3, 2403.12.6.1; Exit signs shall be illuminated. 1. For occupant loads of 300 or less; or 2. An approved emergency system, for occupant loads greater than 300.

N.J.A.C. 5:70-3, 2403.12.7; Means of egress shall be illuminated from a separate circuit or source of power. (Not less than 1 foot candle (11lux) at floor level)

N.J.A.C. 5:70-3, 2403.12.8; Means of egress, width of exits, aisles and passageways shall be maintained at all times.

- Interior finish, decorative materials and furnishings shall comply with Chapter 8.
- Occupant Load and Number of Exits shall be approved by the Maplewood Fire Department.

NJ UCC TENT PERMIT REQUIRED:

Larger than 16800 square feet in size, greater than 140 feet in any dimension, bleachers or platforms higher than 11 feet, up for more than 180 days and used between December 1 and March 31 or having a permanent anchoring system or foundation..

Good afternoon Municipal Authorities and ABC Board Secretaries:

Governor Murphy has announced that bars and restaurants will be permitted to open with limited outdoor service on June 15, 2020. ABC has created a new permit to address the anticipated need of licensees to expand their premises to allow reasonable seating capacity while observing social distancing guidelines. This permit will be available to all licensees with retail consumption privileges and will allow liberal expansion privileges subject to local approval for the following:

1. Expansion into areas adjacent to or contiguous to the licensed premises, such as public or private decks, patios, sidewalks and parking lots; or
2. Expansion into areas that are not contiguous to the licensed premises, as long as these areas are reasonably accessible from the licensed premises, such as parks, "parklets" established by a municipality, or other public rights-of-way.^[1]

In both scenarios, the licensee must show that it has the legal right (e.g., possession and control) to use the property. See N.J.A.C. 13:2-9.3. If the property is not owned by the licensee, they will require a lease or some other written document from the owner. In the case of public property, a resolution, ordinance or express written permission from the public entity owner is needed. Off-premises consumption of alcoholic beverages including "cocktails to go" in public areas is within the jurisdiction of each municipality. See N.J.S.A. 40:48-1. The COVID-19 Expansion Permit will be available exclusively through ABC's POSSE Online Licensing System ("POSSE") as soon as Friday, June 5. The term will be from date of issuance until November 30, 2020, which is the same month as the expiration of seasonal retail consumption licenses. The one-time fee will be \$75. The application will require the following information:

1. Name, address and license number of applicant;
2. Description of property that is the subject of the expansion, including a sketch or photographs;
3. Written approval of the property owner authorizing temporary use of the property by the licensee;
4. Security plan for sale and service of alcoholic beverages in the expanded area, including prevention of pass offs and underage drinking and service to over intoxicated individuals; and
5. Statement by the licensee or permittee that operation of the expanded premises is consistent with the social distancing mandates in the Governor's Executive Orders.

As with ABC's other permits, endorsement by the municipal clerk and chief of police will be required to ensure that local concerns, such as hours, proximity to neighbors, site plan approvals and other local concerns are taken into account. Special conditions may be incorporated into permits, if needed to address particular circumstances. See N.J.S.A. 33:1-32. ABC realizes that many licensees are looking forward to opening as soon as possible, so we expect to issue the permit within days of endorsement by the clerk and police chief.

Best wishes for a safe, healthy summer and fall season.

^[1]Normally, ABC only allows extension of premises onto adjacent or contiguous property, but due to the extraordinary impact of the pandemic on bars and restaurants, and feedback from the industry and municipalities, ABC believes it is necessary to allow expansions to non-contiguous properties that are in reasonable proximity to the licensed premises.

**Maplewood Township
Hold Harmless Agreement**

In consideration of outdoor uses of public spaces as extensions for purposes of conducting business, the undersigned agrees to indemnify and hold harmless Maplewood Township and its officers, agents and employees, to the extent allowable by law, from any and all suits, actions, damages, liabilities and expenses, including reasonable attorney fees relating to any bodily injury, loss of life or property damage resulting from, in connection with or arising out of the use of public spaces as extensions of their businesses.

Signed this _____ day of _____ 2020

As the binding act in deed of _____

Authorized Signature

Witness

Attestation

I, _____, do certify to the Township of Maplewood and to the
(Name – Please Print)

Maplewood Public Health Division:

1. I am duly authorized as the _____ of _____ to
(Title) (Establishment)
execute this certification and to bind _____ to its terms.
(Establishment)
2. I have read and am familiar with the provisions of Governor Murphy's Executive Order No.150 and Executive Directive No. 20-14 that allows OUTDOOR gatherings of 25 persons or less at any one time for social, recreational or other gatherings, see attached.
3. I have instructed all _____ personnel on the terms of this
(Establishment)
Executive Order & Directive.
4. I have provided all employees of _____ with instructions
(Establishment)
& training on complying with the Executive Order & Directive.
5. I have provided all employees with all necessary masks, gloves, sanitizer necessary to comply with the Executive Order & Directive.
6. I agree that I am responsible to insure compliance by _____ with
(Establishment)
the Executive Order & Directive and that failure to comply with the terms of the Executive Order & Directive or to engage in activity determined by the Maplewood Health Officer to endanger the public health and safety may result in the revocation of the Special Event for Designated Public Spaces Permit.
7. I understand that this permit is strictly limited to events held outdoors on either public spaces or private property.

The forgoing statements are true. If any of the statements are willfully false, I am subject to punishment.

[NAME] _____

[SIGNATURE] _____

[DATE] _____