



Attract more
customers with
outdoor seating!



Created by the Bogota Creative Arts
Team to encourage the use of
outdoor dining in the Borough.

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Disclaimer: This brochure is intended for information purposes. For the complete rules and regulations, view Borough Code Section 4-14 Outdoor Sidewalk Café Licenses at ecode360.com/34710258.)

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Bogota Outdoor Dining

**Do you have an eating
establishment in one of
Bogota's business zones?**

**Consider getting a
license to operate an
outdoor sidewalk cafe!
Check out this quick
guide to get started.**

Where can I put my outdoor cafe?

The outdoor cafe must be contiguous to your establishment, and a minimum of 4 feet of unobstructed paved surface must be available for pedestrian traffic around or through it.

What rules exist regarding outdoor seating, furniture and fixtures?

- The total combined indoor and outdoor seating may not exceed the maximum number of indoor seating allowed by state and local regulation.
- All furniture, umbrellas, barriers, and other property used in the outdoor cafe shall be safe, sturdy, structurally sound, and aesthetically pleasing.
- No furniture or equipment used may be affixed to any tree, post, sign or other fixtures within or near the licensed area.
- Outdoor seating may not displace parking spaces required by building and zoning regulations.
- Tables and chairs must be removed from the public sidewalks when the establishment is closed.

When can outdoor cafes operate?

Licensed outdoor cafes may operate from April 1 to October 31. The hours of operation for outdoor cafes shall not extend after midnight on Thursdays, Fridays, and Saturdays, and not after 10 p.m. on other days. (Hours may be subject to change due to COVID-19 restrictions. See [covid19.nj.gov](https://www.covid19.nj.gov).)

Do licenses expire?

Licenses expire annually on March 1.

How do I apply for a license to operate an outdoor cafe?

Your application should be sent to the borough clerk. There is no filing fee. Below are submission requirements in brief:

- The name, residence address and telephone number of each owner.
- A copy of the name upon which the applicant intends to do business.
- The address and description of each place where the outdoor cafe will operate.
- The name and address of the person owning the premises and his or her consent to the application.
- Three sets of a proposed layout plan containing scaled drawings clearly illustrating:
 - the number, type of material, color, and location of all furnishings or fixtures to be used,
 - awnings or outdoor umbrellas extending over the enclosure,
 - the location of doors leading from the eating establishment to the outdoor cafe,
 - the number of feet and location of unobstructed space permitting free passage of pedestrian traffic,
 - any enclosure or protective barrier separating the outdoor cafe from pedestrian traffic,
 - the location of the place where any food or drink is intended to be prepared, and
 - the location of all fire hydrants, parking meters, utility poles, benches, handicap ramps, street furniture, trees and other permanent fixtures on the sidewalk in front of the eating establishment or within 10 feet thereof.

What happens after I submit my application?

The borough clerk will submit it for review by the health officer and chief of police, who will complete their review within 14 days and submit any objections in writing to the borough clerk.

The mayor and council may approve any license at a public meeting if the application is complete and conforms to the requirements of this section.

What else is required to get a license?

You must file with the borough clerk:

- a statement agreeing to indemnify and hold harmless the borough from any or all claims, damages, judgment costs, or expenses, which may be incurred because of any personal injury related to the operation and maintenance of the outdoor cafe, and
- a comprehensive general liability policy issued by a public liability insurance company affording coverages set forth in the Municipal Code.

What else should I know?

- Each licensee is responsible for keeping the area of the outdoor cafe and the adjacent walks and streets free and clear of any debris or litter generated by the cafe.
- If the applicant is the holder of an Alcoholic Beverage Control (ABC) license, it is the applicant's responsibility to ensure ABC license is amended to include the premises utilized for outdoor cafe purposes in order to serve alcoholic beverages therein.
- No food or drinks served at an outdoor cafe shall be prepared or stored outside.
- No signs are permitted in the outdoor area except those that comply with the sign ordinance of the Borough.