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Gurbir S. Grewal  
 Attorney General



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**For Immediate Release:**

June 3, 2020

**Office of The Attorney General**

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**Division of Alcoholic Beverage Control**

- James B. Graziano, *Acting Director*

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**Division of Alcoholic Beverage Control Announces  
 Special Ruling Allowing Establishments to Temporarily  
 Expand Service to Outdoor Areas to Accommodate Social  
 Distancing Requirements**

***“COVID-19 Expansion Permits” Aimed at Offsetting Economic  
 Impact of Reduced Seating Capacity***

[COVID-19 Temporary Extension Permits](#) | [Executive Order 150](#)

**TRENTON** – As restaurants, bars, and other establishments licensed to serve alcoholic beverages prepare to reopen for outdoor sit-down service with social distancing practices in place, Attorney General Gurbir S. Grewal and the Division of Alcoholic Beverage Control (“ABC”) today announced provisions allowing them to expand their licensed premises to include increased outdoor service space permitted under Governor Murphy’s Executive Order No. 150 (2020).

A Special Ruling issued by ABC today allows licensees to apply for one-time, temporary permits to extend their “licensed premises” – that is the area in which they are permitted to serve alcohol – to include decks, patios, parking lots, sidewalks and other open outdoor areas adjacent or close by their premises, to correspond with increased seating capacity once they reopen. The permits will expire on November 30, 2020.

The action comes after Governor Phil Murphy today issued Executive Order No. 150, which allows restaurants, bars and other food or beverage establishments to reopen for outdoor sit-down service effective 6 a.m. June 15, 2020. A previous Executive Order has permitted those establishments to remain open during the COVID-19 state-of-emergency, but only for pickup or delivery services. On-premises service of food and alcohol has been prohibited to prevent the spread of the novel coronavirus, COVID-19.

Anticipating that many municipalities will seek to allow restaurants and bars to expand their service footprint, both on their property and onto shared property, to accommodate outdoor service, ABC is granting temporary permits that will allow licensees to expand liquor service into these areas.

“As New Jersey’s bars and restaurants reopen sit-down service to patrons, we are doing everything we can to help meet their needs to serve patrons while also complying with the social distancing requirements in place to prevent a resurgence of COVID-19,” said Attorney General Gurbir S. Grewal. “Our first priority is to protect the health and safety of all New Jerseyans as our state embarks on the road to economic recovery.”

“We are committed to enabling New Jersey’s retail consumption segment of the alcoholic beverage industry to resume sit-down service with safeguards in place to protect public health,” said James Graziano, Acting Director of the Division of Alcoholic Beverage Control. “The Special Ruling we’re announcing today will help offset the economic impact to licensees caused by a reduced capacity of patrons allowed on-premises at any given time.”

Executive Order No. 150 allows food or beverage establishments to open for service in outdoor areas provided that tables seating individual groups are six feet apart, and will have to abide by a number of safety and sanitization protocols that the Department of Health will be issuing. The Executive Order allows for establishments to expand service into outdoor areas to increase seating capacity.

The “COVID-19 Expansion Permit” allows licensees to extend their premises onto areas adjacent to or contiguous with the licensed premises, where they may provide for the sale and service of alcoholic beverages as on the primary licensed premises. The ABC Director may also permit a licensee to expand its premises onto non-contiguous property, provided the property is in reasonable proximity to the licensed premise and the licensee has safeguards in place to ensure that alcoholic beverages will be sold and served in a manner that protects public health, safety and welfare.

In order to expand services into outdoor areas, licensees must demonstrate that they either own the property or have permission from the owner to use it for serving alcohol. Licensees must offer the same services in the expanded area – i.e. food service – as they do on they do on-premises. Examples of permissible expansion areas include decks, patios, sidewalks and parking lots next to licensed premises, as well as parks and other public rights-of-way, as long as they are accessible from the licensed premises.

The fee for the COVID-19 Expansion Permit will be \$75. Licensees may begin applying for permits on June 5, 2020 through the POSSE ABC Online Licensing System (“POSSE”), but no permit that is issued shall be effective before June 15, 2020.

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