


Governor Phil Murphy


# Governor Murphy Signs Legislation to Expand Outdoor Dining

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02/5/2021

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*Bill Also Allows Craft Alcoholic Beverage Sales at Farmers Markets*  (<https://www.youtube.com/njgovernorsoffice>)

**TRENTON** – Governor Phil Murphy today signed legislation that will expand opportunities for outdoor dining in New Jersey.  (<https://www.instagram.com/govmurphy/>)

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The bill (S3340) sets forth a framework for municipalities to allow restaurants, bars, distilleries, and breweries to utilize outdoor spaces or public sidewalks as extensions of their business premises. Many municipalities across the state have been taking these steps since the Governor authorized outdoor dining in June 2020. The bill was sponsored by Senators Paul Sarlo, Vin Gopal, Nellie Pou and Nilsa Cruz-Perez, and Assembly representatives Roy Freiman, Vince Mazzeo, Anthony Verrelli and Eric Houghtaling.

“As we weather the devastating effects of the COVID-19 pandemic, we are continually trying to find new and innovative ways to aid our state’s business community while not sacrificing our public health,” **said Governor Phil Murphy.** “This bill will give our restaurants more certainty for the future so they can once again lean into the outdoor expansions we allowed this past summer to help recoup losses and strengthen their businesses and the jobs they support.”

The bill extends the effective period of permits issued under an ABC special ruling made last summer that allowed licensees to expand the premises where they can serve alcoholic beverages to include outdoor spaces. Restaurants will now be able to maintain the permit through November 30, 2022, or the date at which indoor dining returns to full capacity at restaurants – whichever is later. In a signing statement, Governor Murphy noted that this extension will be automatic for all permit holders. The bill also establishes protocols for municipalities to review and approve outdoor space expansion requests by restaurants without liquor licenses and those with liquor licenses that have not previously obtained expansion permits.

The legislation also authorizes the ABC to create a seasonal farm market permit to allow a holder of a limited brewery license, restricted brewery license, craft distillery license, plenary winery license, farm winery license, or cidery and meadery license to sell any of the licensee’s products in original containers at a seasonal farm market for off-premises consumption. The permit could be a daily or annual permit.

“This is timely, important and desperately needed by the restaurants, bars, distilleries and breweries that are struggling to survive the economic consequences of the coronavirus crisis,” **said Senator Paul Sarlo**, who chairs the Senate Budget Committee. “It’s about more than the Super Bowl. The months ahead will be pivotal for their ability to stay in business, keep their employees on the payroll and contribute to the economic viability of the communities they serve. This will allow for a measured expansion that will maintain the health and safety of workers and customers and allow the businesses to plan ahead with more certainty. They are key contributors to local communities throughout the state.”



“This common-sense measure will bring immediate help to our restaurants, bars and breweries by streamlining application procedures in order to serve more patrons outdoors,” **said Senator Vin Gopal.** “After suffering so much loss in the past year due to the pandemic, this will greatly enhance prospects for these businesses, especially as



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we approach the coming season on the Jersey Shore."

"This law will help our small and local businesses in the food and beverage industry who are part of the life-blood of our communities, and who have suffered such a detrimental impact during the restricted bar and restaurant hours brought on by the pandemic," **said Senator Nellie Pou.** "As we look towards the spring, we must do all we can to help these businesses survive and thrive in the months ahead."

"Our restaurants, bars and breweries have been suffering an inordinate amount since the beginning of the COVID-19 pandemic," **said Senator Nilsa Cruz-Perez,** one of the sponsors in the Senate. "It is clear that outdoor dining has been a huge asset for these businesses, and this will ensure they can rely on it in the year ahead, offering greater stability going forward."

"Moving operations outdoors has been a lifeline for businesses to stay afloat amid COVID-19," **said Assembly members Roy Freiman, Vince Mazzeo, Anthony Verrelli and Eric Houghtaling,** who sponsored the bill. "From outdoor dining in parking lots to shopping under canopies, businesses have found creative ways to serve their patrons during this public health crisis. While the struggles of restaurants and retailers have been largely documented, commercial farms and farmers markets have also suffered as a result of the coronavirus. All have needed to adapt and rise to this unprecedented challenge. This new law protects public health and enables local businesses and municipalities flexibility, while at the same time helps our economy look forward to recover. By working together, we were able to find a helpful solution to a problem that was originally perceived to be insurmountable."   <https://www.facebook.com/njgovernorsoffice> <https://www.youtube.com/njgovernorsoffice>

"We appreciate the legislators and governor recognizing the importance of outdoor dining to the industry," **said Marilou Halvorsen, President and CEO of the New Jersey Restaurant and Hospitality Association.** "As we move forward past the pandemic, this will allow our restaurants to continue to operate and staff more openly for our guests."   <https://www.instagram.com/govmurphy/> <https://twitter.com/govmurphy>

New Jersey restaurants have been hit hard by the pandemic and the administration has continually sought ways to help keep the state's restaurant community afloat. This week, Governor Murphy expanded capacity limits for indoor dining from 25 percent to 35 percent, while also lifting the statewide mandated 10:00 p.m. closing time for indoor service.

In October, the New Jersey Economic Development Authority set aside \$35 million of its Small Business Emergency Assistance Grant Program to businesses classified as food service establishments. And in November, the NJEDA established the Sustain and Serve NJ Program, a grant program that will provide funding to organizations to purchase meals from restaurants that have been negatively impacted by the COVID-19 pandemic and distribute the meals at no cost to New Jersey residents.

For the signing statement, please click [here \(/governor/news/news/562021/docs/S3340.pdf\)](/governor/news/news/562021/docs/S3340.pdf).

## Governor Phil Murphy

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