



City of Sea Isle City

MUNICIPAL SERVICES - 2ND FLOOR

233 JOHN F. KENNEDY BLVD.

SEA ISLE CITY, NJ 08243

609-263-4461

**CITY OF SEA ISLE CITY
NEW JERSEY**

**OFFICE OF THE MAYOR
EXECUTIVE ORDER 01 (2020)**

EXECUTIVE ORDER TEMPORARILY AUTHORIZING THE ZONING OFFICIAL WITH ASSISTANCE FROM THE CITY ATTORNEY AND ENGINEER TO REVIEW FOOD APPLICATIONS TO THE PLANNING BOARD AND ISSUE TEMPORARY PERMITS TO OPERATE UNTIL SITE PLAN REVIEW BY THE PLANNING BOARD

WHEREAS, The City has a Site Plan Review Ordinance requiring site plan review by the Planning Board under Sea Isle City Code Chapter 30 which works in conjunction with an exception allowing waiver by the zoning official under Chapter 30, Section 2.2; and

WHEREAS, the exceptions to review by the Planning Board are reviewed by the Zoning Official utilizing specific criteria set forth in the Ordinance. None of the exceptions allow for the Zoning Official to grant exception/waiver for food establishments; and

WHEREAS, the City has taken numerous steps to safe guard public health during the coronavirus pandemic emergency and follows the Governor's Orders to encourage social distancing to further mitigate the spread of the Coronavirus in the City of Sea Isle City; and

WHEREAS, one of those steps taken is to postpone Planning Board meetings for at least April and perhaps later; and

WHEREAS, it is highly unlikely the Planning Board will have sufficient time to review site plans for food establishments and allow those businesses to open in time for the season; and

WHEREAS, in this time of emergency it is clear that further steps are necessary to ensure the economic viability of the business district and to continue to promote the public health of our residents.

NOW THEREFORE by the authority conferred upon the Mayor pursuant to Chapter 2 Section 3.4 this Executive Order is hereby issued directing the appropriate City personnel to take all steps necessary to implement this executive order.

1. The Zoning Official shall review upon request of an applicant a filed site plan application, filed before the Planning Board, for review for a temporary exception/waiver to Site Plan Review Ordinance utilizing the standards set forth in Chapter 30, Section 2.2.
2. The Zoning Official in conjunction with the administration, City Attorney, and Engineer shall develop and use an application for temporary exception/waiver and any other necessary documents to effectuate the intent of this Order.

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3. As a condition of the Zoning Official review applicant shall execute a written waiver of time for Planning Board action on the filed site plan.
4. This Executive Order applies only to site plan review applications that are deemed reviewable by the Zoning Official with his discretion limited to applications to Planning Board only which do not contain requested or needed variance relief.
5. As a condition of the Zoning Official review:
 - a. Applicant shall be obligated to provide any information and respond to any questions of the Zoning Official.
 - b. Applicant shall agree in writing to expeditiously move forward with the pending site plan application before the Planning Board upon resumption of hearings by the Board.
 - c. Applicant shall agree in writing the temporary exception/waiver issued hereunder is subject to the Planning Board review, including all terms and condition of the Board, and to comply with that review over any terms or conditions of the temporary exception/waiver.
 - d. Applicant shall agree in writing any exception/waiver issued under this Executive Order can be withdrawn by the Zoning Official should the applicant fail to obtain Planning Board site plan approval, withdrawal the application for approval, or be denied site plan approval.
 - e. Applicant shall agree in writing that applicant proceeds under this Executive Order at applicant's peril whether the Planning Board review may result in conditions not anticipated or no approval.
 - f. Applicant shall agree in writing that applicant waives any right to sue the City over the review or release of applicant's exception/waiver or denial of applicants requested exception/waiver and applicant's only remedy shall be to wait for the Planning Board to meet and hold a hearing on applicant's application.

NOW FURTHER ORDERED this Executive Order shall become effective immediately and apply to any site plan review application filed or to be filed with the Planning Board until this Executive Order is cancelled by the Mayor.



Leonard C. Desiderio, Mayor

I HEREBY CERTIFY THAT the foregoing Executive Order was duly promulgated by the Mayor of the City of Sea Isle City, New Jersey, on March 31, 2020.



Shannon D. Romano, Municipal Clerk