



Spring 2021

Volume 20

NJDOT Answers FAQs to Assist Businesses with the Outdoor Dining Application and Permitting Process

As spring finally brings us some nicer weather, restaurants throughout the state are beginning to expand their outdoor dining capacity in order to adhere to the CDC's COVID-19 guidelines for social distancing and gatherings.

Businesses wanting to use a stretch of roadway for outdoor dining that is located adjacent to a State Right of Way will need to submit an Application for Highway Occupancy to their local township administrator.

Our team in the Operations Permits Office, in collaboration with our Bureau of Traffic Engineering, have provided answers to some frequently asked questions in order to help guide businesses through the Highway Occupancy application and permitting process.

FAQs

Do I need an NJDOT permit to expand my business's outside dining capacity?

Business owners are only required to submit a permit application if they want to expand their outdoor dining options to a stretch of roadway that is adjacent to a State Right of Way and/or if they wish to add seating to a state owned sidewalk.

Which roadways are in the State Right of Way?

To determine if your business is located adjacent to a State Right of Way, view the [Straight Line Diagrams](#) reference maps on the NJDOT website.

I wish to expand onto a State Right of Way. What do I do now?

Once you have established that the expansion space is State Right of Way property, you need to complete an NJDOT Application for Highway Occupancy [Form MT-120A](#).

Once completed, the [Form MT-120A](#) should be submitted to your LOCAL TOWNSHIP ADMINISTRATOR for review and approval. If your municipality approves the plan and issues a resolution, the business administrator will submit the application to NJDOT for review.

What do I need to include with the [Form MT-120A](#)?

Applicants are required to include a detailed Site Plan, drawn to scale, showing the proposed installation and relevant data necessary for a complete understanding of the request. If your business needs to make modifications to the stretch of roadway that intersects with the State Right of Way, including traffic control devices, you will also need to submit a Traffic Control Plan as required by NJDOT's Operations Permits Office.

How much will the application and permit cost?

The application and permit fees have been waived to help support New Jersey's businesses during these challenging times.

How long will the application and permit process take?

The review process is estimated to take up to 20 business days.

Who do I contact if I have questions?

If you are just beginning the process, your local business administrator is your first call for information. If you still have questions after speaking with your local business administrator, you can email NJDOT's Operations Permits Office at DOT-OPS.Permits@dot.nj.gov.

