

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 16-25 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 270-26 OF THE BOROUGH CODE ENTITLED “RESTRICTED USES AND ACTIVITIES”

was introduced at a regular meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, September 8, 2016 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Thursday, October 13, 2016 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend Section 270-26 entitled “Prohibited uses within the Borough” in Chapter 270 of the Allendale Borough Code entitled “Zoning” to add restrictions to drive-through operations or facilities, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Anne Dodd, RMC
Municipal Clerk

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 16-25

**AN ORDINANCE OF THE BOROUGH OF ALLENDALE,
COUNTY OF BERGEN, NEW JERSEY AMENDING AND
SUPPLEMENTING CHAPTER 270-26 OF THE BOROUGH
CODE ENTITLED “RESTRICTED USES AND ACTIVITIES”**

WHEREAS, establishing orderly and reasonably safe vehicular traffic patterns, volume and flow is essential to the public health, welfare, safety, and the quality of life of the Borough’s residents; and

WHEREAS, the Governing Body may adopt ordinances for the public health, safety and welfare of the Borough and its inhabitants, including the restriction and regulation of the operations of business establishments as they relate to vehicular traffic; and

WHEREAS, the Governing Body finds that a business establishment that operates a drive-through business will negatively effect and impact safe and orderly traffic patterns, volume and flow; and

WHEREAS, the Governing Body finds that restrictions on drive thru activities will further the goals and objectives of the Master Plan and Re-examination report which include the maintenance and enhancement of the viability of business districts through the promotion of a desirable pedestrian environment in said districts; and

WHEREAS, the Master Plan and Re-examination report further reflect that a desirable pedestrian environment will be furthered by drive thru restrictions on businesses in said districts insofar as such drive through businesses conflict with the pedestrian orientation of such districts; and

WHEREAS, the Governing Body finds that reasonable restrictions on drive-through businesses will benefit the safety and movement of pedestrians, as well as serve to reduce litter and pollution from idling motor vehicles; and

WHEREAS, the Governing Body finds that restrictions on a business establishment’s operation of a drive-through facility will otherwise benefit the public health, safety, and general welfare, and quality of life of the Borough’s residents.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allendale that Chapter 270, Section 270-26 of the Borough Code entitled “Prohibited uses within the Borough,” is hereby amended and supplemented to add the following to said Section 270-26:

(l) Drive-through operations or facilities, provided however that same shall be permitted within the Central Business Zone District-Shopping Center (C-2). As used in this Subsection (l), "drive-through operations or facilities" shall mean a business or establishment engaged in the sale of any goods, products or services which are sold, served, delivered or dispensed to persons in motor vehicles.

BE IT FURTHER ORDAINED THAT if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable; and

BE IT FURTHER ORDAINED THAT any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance, and all other provisions of the Borough's Ordinances are ratified and remain in full force and effect; and

BE IT FURTHER ORDAINED THAT the Ordinance shall take effect immediately upon its passage and adoption according to law.