

**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:

(1) 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 (1), "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.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan			✓			
McSwiggan		✓	✓			
Sasso	✓		✓			
Strauch					✓	
Wilczynski			✓			
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on October 13, 2016


 Anne Dodd, RMC
 Municipal Clerk


 Mayor Elizabeth White