

ORDINANCE NO. 25-2009

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 225
ENTITLED "ZONING" RELATING TO OUTDOOR SEATING
OF THE CODE OF THE TOWNSHIP OF HARRISON**

WHEREAS, the Mayor and Committee, Township of Harrison, have determined that certain amendments to Chapter 225 entitled "Zoning" are necessary; and

WHEREAS, in all other respects Chapter 225 entitled "Zoning" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Paragraph D. (2) of §225-22 shall be deleted in its entirety and replaced with the following:

- (2) Outdoor seating for the consumption of food, provided the following conditions are met: a) said seating is operated in conjunction with an existing approved indoor restaurant under the same ownership and management; b) the seating is situated outside of any public right-of-way; c) the construction and appearance of the outdoor seating area has met all requirements of the Mullica Hill Historic District where applicable; d) adequate parking is provided to meet the requirements of both the indoor restaurant and the outdoor seating in accordance with applicable Township provisions; and e) the outdoor seating involves 4 tables or 16 seats which ever is less. The parking requirements may be met by a combination of the parking available on site and at an off site location which is subject to a recorded covenant running with the land or a lease which reserves sufficient parking for the restaurant use. If the zoning officer reviews the plans and determines that the outdoor seating meets all of the conditions of this use as set forth herein, no site plan review is required.

Section 2.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

In all other respects, Chapter 225 entitled "**Zoning**" shall remain in full force and effect.

Section 5.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF HARRISON

BY: _____
LOUIS F. MANZO, MAYOR

ATTEST:

DIANE L. MALLOY, Acting Municipal Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on June 15, 2009. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on July 6, 2009 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.

DIANE L. MALLOY
Acting Municipal Clerk