

ORDINANCE NO. 2177-17

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE SO AS TO AMEND CHAPTER 540, ZONING, ARTICLE XII, B-2 CENTRAL BUSINESS ZONES, AND ARTICLE XVII, OFF-STREET PARKING, TO SET FORTH PARKING REQUIREMENTS IN THE B-2 ZONE

BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

Section 1. Chapter 540, Zoning, Article XII, B-2 Central Business Zones, Section 540-110, Use Restrictions, is hereby amended so as to add subsection D, with the newly created subsection to read as follows:

Sec. 540-110 Use Restrictions,

D. Notwithstanding anything to the contrary in this Chapter, there shall be no requirement for any business operating in the B-2 Central Business Zoning District to provide for off-street parking for any permitted use hereunder. Any reviewing Board may nevertheless review any plan submitted for off-street parking in terms of safety and circulation and impose restrictions or conditions in accordance with such review.

Section 2. Chapter 540, Zoning, Article XVII, Off-Street Parking, Section 540-133, Construal of Provisions, is hereby amended so as to reference parking requirements in the B-2 Central Business Zones, with the subsection to read as follows:

Sec. 540-133 Construal of Provisions.

Nothing in this article shall be construed as altering, amending or repealing the off-street parking requirements contained in Article III, R-3 Apartment - Medium Density, Article IV, R-4 Garden Apartment Residence Zones, or Article VII, B-2 Central Business Zones.

Section 3. If any section, subsection or part of this ordinance is adjudged by a Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not impair or invalidate the remainder of this ordinance.

Section 4. The remaining portion of Chapter 540, Zoning, shall remain in full force and effect except as modified hereunder. All parts and provisions of any ordinance which are inconsistent with the provisions of this ordinance shall be repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon final adoption and publication as provided by law.

John N. Bertollo
Council President

Attest:
Lori DiBella, RMC
Borough Clerk

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey, held on February 15, 2017. It will be further considered for final passage after public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 445 Lafayette Avenue, in said Borough on March 15, 2017, at 7:00 p.m., at which time and place all interested members of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said

Ordinance will be made available on the borough website, www.hawthornenj.org, and at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

Lori DiBella, RMC

Borough Clerk

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HAWTHORNE AT A REGULAR MEETING ON MARCH 15, 2017.

ATTEST:

Lori DiBella, RMC, Borough Clerk

John N. Bertollo, Council President

APPROVED:

Richard S. Goldberg, Mayor