

ORDINANCE NO. 2042-11

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE, CHAPTER 225, ZONING, ARTICLE XI, I-2 INDUSTRIAL ZONES, SO AS TO ADD NEW AND USED AUTOMOBILE DEALERSHIPS AS A PERMITTED USE IN THE ZONING DISTRICT

WHEREAS, the Zoning Ordinance of the Borough of Hawthorne, at Article XI thereof, sets forth uses permitted in the I-2 Zoning District, including various light industrial and warehousing uses; and

WHEREAS, the Zoning District itself is exceedingly small in area and contains various uses therein both consistent and inconsistent with the list of permitted uses; and

WHEREAS, the Zoning District permits warehousing and storage, though not necessarily storage of vehicles in connection with a new or used automobile sales dealership; and

WHEREAS, the Zoning District contains therein one automobile dealership and is situated entirely on a relatively short portion of Goffle Road, which contains thereon three additional automobile dealerships; and

WHEREAS, the Municipal Council has determined that new and used automobile dealerships are consistent with the I-2 Zone as it currently exists, particularly in the context of uses that have come into existence on Goffle Road between Lafayette Avenue and Rock Road;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that it does amend the Zoning Ordinance of the Borough of Hawthorne to read as follows:

Section 1. Chapter 225, Zoning, Article XI, I-2 Industrial Zone, Section 225-74, Permitted Uses, is hereby amended so to read as follows:

Sec. 225-78 Permitted Uses

N. New and used automobile dealerships

Section 2. 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 3. The remaining portion of Chapter 225, 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 All parts and provisions of any ordinance which are inconsistent with the provisions of this ordinance shall be repealed to the extent of such inconsistency.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 4. This Ordinance shall take effect upon final adoption and publication as provided by law.

Frank Matthews
Council President

Attest:
Susan Witkowski, 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 May 18, 2011. 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 June 15, 2011, at 8:00 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.

Susan Witkowski, RMC
Borough Clerk