

**ORDINANCE #1382**  
**OF THE TOWNSHIP OF HADDON, COUNTY OF CAMDEN, AND STATE OF NEW**  
**JERSEY REPEALING SECTION 142-5B OF THE CODE OF THE TOWNSHIP OF**  
**HADDON ENTITLED "PROHIBITED USES"**

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**WHEREAS**, Chapter 142-5 of the Code of the Township of Haddon (the "Code") establishes a list of uses which are prohibited in all zoning districts in the Township of Haddon; and

**WHEREAS**, Section 142-5B of the Code prohibits, "Outdoor seating, tables, carts or other such facilities used for the consumption of food or beverages sold at a restaurant."; and

**WHEREAS**, the Township Master Plan has goals and objectives which include the following:

- a. "Maintain community character and improve the quality of existing development"
- b. "Preserve economic balance and provide for a continuing source of employment within the Township"
- c. "Guide the development of available vacant land, the redevelopment of vacant land where warranted"
- d. "Assume that development intensity and population density continues to be appropriate to the overall character of the Township"
- e. "Encourage appropriate development along Haddon Avenue to further Westmont's role as the downtown center for the Township"; and

**WHEREAS**, Outdoor restaurant seating has become extremely popular all over the country and has offered a seasonal opportunity for local restaurant businesses to offer a unique dining experience for customers. Outdoor seating is extremely vibrant in the surrounding communities of the Borough of Collingswood and the Borough of Haddonfield along the Haddon Avenue corridor. Outdoor restaurant seating has proven to enliven the Haddon Avenue sidewalk environment in these communities and has significantly encouraged the economic development along the Haddon Avenue commercial corridor and in other locations in Haddon Township; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the Township and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Commissioners of the Township of Haddon, County of Camden, State of New Jersey, as follows:

**SECTION 1:** Section 142-5B of the Code of the Township of Haddon, entitled "Prohibited Uses" is hereby repealed.

**SECTION 2:** The balance of Section 142-5 entitled, "Prohibited Uses" shall be re-lettered in accordance with the repeal of Section 142-5B.

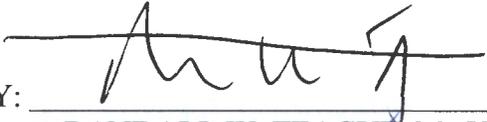
**SECTION 3:** Except as set forth in Sections 1 and 2 above, the balance of Chapter 142 shall not be affected by this Ordinance.

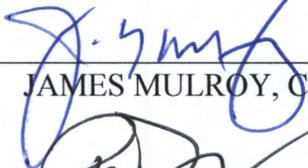
**SECTION 4:** All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

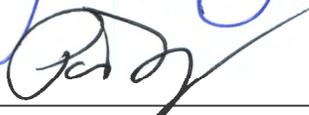
**SECTION 5:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 6.** This Ordinance shall take effect upon passage and publication according to law.

THE TOWNSHIP OF HADDON

BY:   
RANDALL W. TEAGUE, MAYOR

BY:   
JAMES MULROY, COMMISSIONER

BY:   
PAUL C. DOUGHERTY, COMMISSIONER

**Adopted:**

ATTEST:

  
JENAI JOHNSON, RMC - TOWNSHIP CLERK