

ORDINANCE #1415

ORDINANCE OF THE TOWNSHIP OF HADDON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING 180-DAY EXTENSION OF INTERIM ZONING, PREVIOUSLY ADOPTED BY ORDINANCE #1413, PURSUANT TO N.J.S.A. 40:55D-90(b), TO ALLOW FOR ISSUANCE OF ZONING PERMITS, EFFECTIVE FOR A TIME PERIOD OF 180 DAYS, TO PERMIT TEMPORARY OUTDOOR RESTAURANT SEATING AND RETAIL OUTDOOR DISPLAY SALES AREAS AT EXISTING LAWFUL BUSINESSES, SUBJECT TO BULK ZONING AND CONSTRUCTION CODE REQUIREMENTS AND OTHER OUTSIDE AGENCY APPROVALS

WHEREAS, the Board of Commissioners of the Township of Haddon (“Commissioners”) is authorized to adopt interim zoning, pursuant to *N.J.S.A. 40:55D-90*, when matters of an imminent public health and safety issue are implicated as confirmed by a qualified health professional; and

WHEREAS, by Ordinance #1407, adopted on May 26, 2020, the Commissioners established interim zoning for a time period of 120-days, to allow for issuance of zoning permits to permit temporary outdoor restaurant seating and retail outdoor display sales areas at existing lawful businesses; and

WHEREAS, by Ordinance #1413, adopted on October 27, 2020, the Commissioners established interim zoning for a time period of 180-days, to allow for issuance of zoning permits to permit temporary outdoor restaurant seating and retail outdoor display sales areas at existing lawful businesses; and

WHEREAS, the validity of Ordinance #1407 and #1413, copy attached hereto and incorporated herein as Exhibit “A”, is supported by the Governor’s issuance of Executive Orders related to the COVID pandemic, thereby constituting a matter of significant public health and safety; and

WHEREAS, the Governor’s Executive Order related to the COVID pandemic still remains in effect today, while Ordinance #1407 expired on September 23, 2020 in accordance with its 120-day term and Ordinance #1413 will expire on March 23, 2021; and

WHEREAS, the Commissioners have determined that an extension of the provisions contained in Ordinance #1413 is warranted for the time period that the Governor’s Executive Order related to the COVID pandemic remains in effect, but not to exceed a period of 180-days as authorized by *N.J.S.A. 40:55D-90*;

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

Section 1. Interim zoning, authorized by Ordinance #1413, is hereby extended for a period of 180-days from the effective date hereof, to permit the establishment of temporary outdoor seating at lawfully existing restaurants and outdoor retail sales displays at existing lawful retail businesses.

Section 2. Any 180-day zoning permit issued hereunder shall expire upon the repeal, expiration and non-renewal of the Governor's Executive Order restricting indoor operations of retail businesses and restaurants. Such ordinance shall be construed in a manner to fully comport with any future executive orders issued by the Governor.

Section 3. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 4. The provisions of this Ordinance shall supersede the terms of any previously site plan approval, to the extent there is any conflict therewith.

Section 5. This Ordinance shall take effect as set forth above and upon final passage and publication in accordance with law.

THE TOWNSHIP OF HADDON

BY: _____
RANDALL TEAGUE, MAYOR

BY: _____
JAMES MULROY, COMMISSIONER

BY: _____
RYAN LINHART, COMMISSIONER

INTRODUCED: March 23, 2021
ADOPTED: April 27, 2021

ATTEST:

DAWN M. PENNOCK, MUNICIPAL CLERK