

**BOROUGH OF EMERSON
COUNTY OF BERGEN
NOTICE OF ADOPTION**

ORDINANCE NO. 1582-19

Introduced: February 19, 2019

Adopted: June 11, 2019

NOTICE IS HEREBY GIVEN that the following ordinance was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 11th day of June, 2019. A copy of Ordinance 1582-19 is on file in the Borough Clerk's Office in the Municipal Building, 1 Municipal Pl., Emerson, NJ 07630.

AN ORDINANCE AMENDING CHAPTER 290, ZONING, OF THE CODE OF THE BOROUGH OF EMERSON, IN ORDER TO REVISE THE RC (RETAIL COMMERCIAL) ZONE TO REMOVE DRIVE-THRU ESTABLISHMENTS AS CONDITIONAL USES.

WHEREAS, Chapter 290 of the Borough Code outlines various zoning districts, specifically including Section 290-20 which details the RC Retail Commercial Zone and its uses; and

WHEREAS, on February 5, 2019 the Borough of Emerson adopted Ordinance 1580-19 amending Chapter 290 of the Borough Code revising the Section 290-20 to permit drive-thrus in the RC Retail Commercial Zone.

WHEREAS, notwithstanding Emerson's 2015 Master Plan amendment and recommendations, and the determination of the former municipal planner, based on, but not limited to, empirical information and members of the public presentations on the record, the Borough Council has determined that drive-thrus are not beneficial and appropriate in the Borough;

NOW, BE IT ORDAINED by the Borough Council of the Borough of Emerson in the County of Bergen and the State of New Jersey that Chapter 290 of the Code of the Borough of Emerson be and is hereby amended as follows:

SECTION ONE:

SECTION 290-20 be amended as follows:

Section 290-20 (C) (Conditional uses) (2) Drive-thru establishment a. through g. are hereby removed and repealed.

SECTION TWO:

All ordinances or parts of ordinances of the Borough of Emerson which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

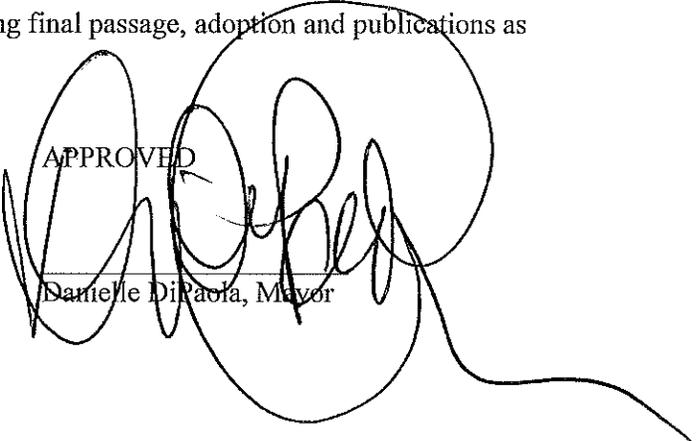
SECTION THREE:

The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof and the remainder of this ordinance shall be deemed valid and effective.

SECTION FOUR:

This Ordinance shall take effect immediately following final passage, adoption and publications as provided by law.

APPROVED


Danielle DiPaola, Mayor

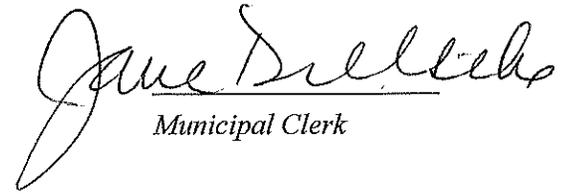
ATTEST:


Jane Dietsche, RMC, Borough Clerk

COUNCIL	M O V E D	S E C O N D E D	A Y E S	N A Y E S	A B S E N T	A B S T A I N
Bayley					X	
Hoffman		X	X			
McGuire	X		X			
Falotico				X		
Knoller				X		
Gordon			X			

I hereby certify that the above Ordinance 1582-19 was duly adopted by the Borough of Emerson at a meeting held on June 11, 2019.

Attest:


Municipal Clerk