

ORDINANCE 34-2010

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 195 OF THE BOROUGH CODE, LAND DEVELOPMENT ORDINANCE, SECTION 31 ENTITLED "CERTAIN PERMITTED USES."

WHEREAS, the Borough Council has determined to amend Chapter 195 of the Borough Code, the Madison Land Development Ordinance, Section 195-31, entitled "Certain Permitted Uses" to regulate retail business hours in all commercial zones of establishments located within 300 feet of any residential zone; and

WHEREAS, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 195 of the Borough Code entitled "Madison Land Development Ordinance" shall be amended as follows:

SECTION 1: Section 195-31, entitled "Certain Permitted Uses" is hereby amended to add the following section:

§ 195-31. Certain Permitted Uses

E. HOURS OF BUSINESS OPERATIONS IN CERTAIN AREAS.

No retail establishment located in any non-residential zone, including CBD-1, CBD-2, and CC Zones, that is located within 300 feet of any residential zone, shall conduct business between the hours of 11:00 p.m. of each day and 6:00 a.m. of the following day. The distance shall be measured from any property line of the retail establishment to the closest residential zone line.

SECTION 2: All other provisions of Section 195-31 that are not amended herein shall remain the same.

SECTION 3: This Ordinance shall take effect as provided by law.

ADOPTED AND APPROVED
June 14, 2010

Attest:

MARY-ANNA HOLDEN, Mayor

ELIZABETH OSBORNE, Borough Clerk

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