

**BOROUGH OF WESTWOOD
NOTICE**

NOTICE IS HEREBY GIVEN that Ordinance #12-9 was introduced and passed on first reading on regular meeting of the Mayor and Council on the 17th day of April, 2012, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 15th day of May, 2012 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

ORDINANCE 12-9

**AN ORDINANCE TO AMEND ARTICLE XXI, CHAPTER 195, OUTDOOR DINING
REGULATIONS OF THE BOROUGH OF WESTWOOD**

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood, in the County of Bergen and State of New Jersey, that section 195-167 entitled "Definitions, 195-168 entitled "Regulations" and 195-170 entitled "Review of application; issuance of permit; inspections" is hereby amended and supplemented in the following particulars only:

Section 1. Amend section 195-167 Definitions:

OUTDOOR CAFE

Any food establishment where food and other refreshments are served or consumed within the public right-of-way, i.e., the sidewalks immediately in front of any food establishment, cafe, or place of business where food and/or other refreshments are served, or where permitted on private property. One retail food service window or doorway is permitted for dispensing of ice cream or similar confectionary products in accordance with the requirements of the outdoor dining development regulations herein. The permitting of such a window or doorway shall be in accordance with the permitted uses of the zone where located and does not imply permission of a specific use in a zone.

Section 2. Amend section 195-168 Regulations:

- B. No food or drink shall be prepared or stored other than in the interior of the eating establishment.
- C. Outdoor cafes shall be permitted to operate from April 1 to November 30 in any calendar year. The permit, when issued, shall be subject to a renewal each year by the Zoning Official.

- I. Tables shall be arranged so that the side of each table shall be sited as close to the adjacent wall as practical of the food establishment it is associated with, provided that in no event shall the establishment be allowed more than 1 table and 2 chairs for every 5 feet of storefront of the facility requesting outdoor dining. Benches may be installed in place of tables and chairs, provided that the back of the bench shall abut the wall of the food establishment it is associated with, and further provided that in no event shall the food establishment be allowed benches that exceed ~~eight~~ the number of seats as permitted in this section, based on a standard that equates 24 inches of seat length to one seat.

Section 3. Amend section 195-170 Review of Applications; issuance of permit; inspections:

- B. If the application complies with the applicable ordinances, the Zoning Officer shall issue a permit, which shall be updated yearly, as defined above.

Section 4. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 5. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect upon final passage and publication as prescribed by law.

Adopted: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk