

ORDINANCE NO. 2014-4

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER 490, PLANNING AND DEVELOPMENT REGULATIONS, ARTICLE II
("DEFINITIONS"), § 490-6, FOR RETAIL FOOD ESTABLISHMENT;

Councilman DuPont offered the following ordinance on final reading and moved its adoption:

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Planning and Development Regulations" is hereby amended and supplemented as follows:

SECTION ONE: Article II, § 490-6 "Definitions", "Retail Food Establishment", is hereby amended and supplemented as follows (strikeouts denote deletions, underlined text denote additions):

RETAIL FOOD ESTABLISHMENT – A retail business where the majority of the merchandise sold is food and/or beverages ~~are sold~~ in form ready for consumption, where no alcoholic beverages are sold or consumed, and there is no table service. Accessory seating is permitted, but limited to a maximum of 12 seats. Food uses that do not meet all of the criteria of a retail food establishment as defined herein shall be considered a primary food service establishment or primary liquor service establishment ~~where all of the consumption takes place off premises. No seating is permitted.~~

SECTION TWO: A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION THREE: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

SECTION FOUR: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FIVE: This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Councilman Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Murphy	(x)	()	()	()
Councilwoman Burnham	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()
Councilwoman Lewis	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilman DuPont	(x)	()	()	()

Dated: March 12, 2014