

ORDINANCE 2018-25

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 490, PLANNING AND
DEVELOPMENT REGULATIONS, RELATING TO ALTERNATIVE TREATMENT CENTERS**

Councilman Ballard offered a motion to adopt the following ordinance:

WHEREAS, the Borough of Red Bank supports Alternative Treatment Centers; and

WHEREAS, existing Borough development regulations do not directly address alternative treatment centers; and

WHEREAS, the Governing Body finds that alternative treatment centers should be permitted in commercial areas and regulated similar to retail uses; and

WHEREAS, the following amendments to the Land Development Ordinance would allow alternative treatment centers in the various zones within the Borough that permit retail commercial uses;

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances is hereby amended as follows (~~stricken~~ text indicates deletions, underlined text indicates additions):

§ 490-6 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

* * *

ALTERATIONS

As applied to a building or structure, shall mean a change or rearrangement in the structural supports; or a change in the exterior appearance; or a change in height, width or depth; or moving a building or structure from one location or position to another; or changing, adding to or removing from or otherwise affecting the exterior appearance of a building or structure or making any changes in a building or structure which is effected by any provision of this chapter.

ALTERNATIVE TREATMENT CENTERS

As defined by the State of NJ and subject to any restrictions imposed by the State of NJ.
For the purposes of this Chapter, Alternative Treatment Centers shall be considered a
retail commercial use and shall be subject to the parking and any other requirements for
retail commercial uses.

ANIMATED OR MOVING SIGN

Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

* * *

BE IT FURTHER ORDAINED, that 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.

BE IT FURTHER ORDAINED that 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.

BE IT FURTHER ORDAINED that, 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.

BE IT FURTHER ORDAINED that 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 Taylor | (X) | () | () | () |
| Councilman Whelan | (X) | () | () | () |
| Councilman Yngstrom | (X) | () | () | () |
| Councilman Ballard | (X) | () | () | () |
| Councilman Zipprich | (X) | () | () | () |
| Councilwoman Horgan | (X) | () | () | () |

Dated: October 10, 2018

First Reading/Introduction: September 12, 2018
Public Hearing/Adoption: October 10, 2018

I hereby certify the above to be a true copy.

Pamela Borghi

Pamela Borghi, Municipal Clerk