

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 21-2006

**AMENDING CHAPTER 175 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN,
ENTITLED "WATER AND SEWERS"**

WHEREAS, the Township Council of the Township of Moorestown has been committed to the revitalization of the "Town Centers"; and

WHEREAS, the Master Plan of the Township of Moorestown has defined the location of the Town Center as "the downtown area of Moorestown and West Moorestown, or Lenola." It states in pertinent part that, "it is intended that West Moorestown would eventually become more like the Main Street area"; and

WHEREAS, the *Main Street Town Center* sub-element of the Master Plan states that, "many of the design ideas that are discussed here are also applicable to West Moorestown, one of the objectives of the Master Plan being to redevelop that area to a physical and regulatory standard that is close to Main Street ... This sub-element concentrates on a smaller area than the whole Town Center land use category in order to analyze the retail environment"; and

WHEREAS, the Master Plan concedes that "There has also been a publicly expressed desire by many people for additional restaurants The public was clear in desiring to see more fine dining as opposed to convenience or take out establishments"; and

WHEREAS, the Township Council recognizes the various impediments before it in reaching its goal to revitalize the Town Centers and furthermore recognizes the need to develop creative strategies by instituting regulations that provide incentives that will help to counterbalance the physical and financial impediments facing the desired type of potential business owners, who are needed in bringing about revitalization to the Town Centers; and

WHEREAS, in furtherance of the goals and objectives of the Master Plan, the vitality of economic development and tourism in the community, the expressed desires of the public for fine dining, and the goals of the leaders of the community to improve the quality of life for the citizens of the municipality, the Township Council desires to remove a financial impediment to a certain category of business owners in order to attract fine dining to the Town Center areas.

NOW, THEREFORE, BE IT ORDAINED, that Chapters 175-21A[9][a][1][e] and 175-44D shall be amended by adding the following paragraph under the existing paragraph:

"A change in use to a restaurant use in the Commercial Retail/Office and Commercial Zoning Districts shall not result in increased connection charges in excess of one equivalent dwelling unit."

Section 3: In all other respects, Chapter 175 shall remain in full force and effect.

Section 4: Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies

Section 5: Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 6: Effective Date. This ordinance shall take effect upon proper publication in accordance with law.

Section 7: Short Title. This Ordinance shall be known as Ordinance 21-2006.

CERTIFICATION

I hereby certify that Ordinance No. 21-2006 was introduced and adopted on first reading by the Township Council at a meeting held on August 14, 2006. This ordinance was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on August 28, 2006.

| <u>VOTE:</u> | |
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| ABERANT | ABSENT |
| ROCCATO | YES |
| MILLER | YES |
| SEGAL | YES |
| ERON | YES |

Patricia L. Hunt, RMC
Township Clerk