

MOORESTOWN TOWNSHIP

ORDINANCE NO. 9-2012

AMENDING CHAPTER 180-2 GOVERNING “DEFINITIONS”
AND CHAPTER 180-61 GOVERNING THE
SPECIALLY RESTRICTED COMMERCIAL “SRC” ZONE
FOR THE LOCATION OF FULL-SERVICE RESTAURANTS
SERVING ALCOHOLIC BEVERAGES

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Council of the Township of Moorestown as follows:

Section 1. Chapter 180-2, governing “Definitions” is hereby amended to add the following term to be defined:

FULL-SERVICE RESTAURANT - Any establishment, however designated, regularly and principally used for the purpose of providing meals to the public, having an adequate kitchen and dining room equipped for the preparing, cooking and serving of food for its customers and in which alcoholic beverages are sold for consumption on the premises. A full-service restaurant shall be distinguished from any other type of restaurant by the sale of alcoholic beverages. Full service restaurants are permitted only in the SRC (Specially Restricted Commercial) District and may only be located on the same lot and block as an indoor shopping mall.

Section 2. Article XX “SRC Specially Restricted Commercial Districts, Chapter 180-61. Purpose: use restrictions and regulations is hereby amended as follows:

Subsection A.(1) is hereby amended as follows:

- (1) A planned shopping center or shopping mall designed as a single architectural unit or scheme with appropriate common landscaping and parking. Such shopping center or mall may include retail department stores, other retail stores and personal service shops customarily identified with shopping centers and restaurants, **full-service restaurants**, theaters and office uses, provided that the initial construction of such shopping center shall include at least 16,000 square feet of ground floor area and a minimum of four separate retail stores or other permitted uses. **A full-service restaurant shall only be permitted on the same tax lot as an indoor shopping mall in the SRC District.**

Subsection P. shall be added after Section O. as follows:

P. A full-service restaurant permitted under Section A.(1) of this section, as long as same is located on the same tax lot as an indoor shopping mall in the SRC District, and is licensed pursuant to Title 33 of the New Jersey Revised Statutes, to sell alcoholic beverages by the glass or other open container for consumption on the premises only. Full-service restaurant(s) shall not be permitted in any other zoning district.

Section 2. Continuation. In all other respects, the Code of the Township of Moorestown shall remain in full force and effect.

Section 3. 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 4. Severability. In the event that any section or 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 affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, phrase, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. Effective Date. This Ordinance shall take effect twenty (20) days after publication notice of final passage and in accordance with law.

Section 6. Short Title. This Ordinance shall be known as Ordinance 9-2012.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on March 26, 2012. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the William Allen Middle School, Auditorium, 801 North Stanwick Road, Moorestown, NJ on April 16, 2012 at 7:30pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk