

ORDINANCE 45-2010

**ORDINANCE OF THE BOROUGH OF MADISON AMENDING
CHAPTER 195 OF THE BOROUGH CODE, LAND DEVELOPMENT
ORDINANCE, REGARDING OUTDOOR DINING AT BUSINESS
ESTABLISHMENTS**

WHEREAS, the Borough Planner has recommended amending Chapter 195 of the Borough Code, the Madison Land Development Ordinance, in regard to outdoor dining at business establishments; and

WHEREAS, the Borough Council has considered the proposed amendment to the Madison Land Development Ordinance and wishes to amend the Code as recommended.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter 195 of the Borough Code entitled "Madison Land Development Ordinance" shall be amended as follows:

SECTION 1: Section 195-33.B entitled "Outdoor Dining", shall have the following added to it:

....

(11) Outdoor Dining:

....

- (n) There shall be no outdoor dining at any restaurant located in any non-residential zone, including CBD-1, CBD-2, and CC Zones, that is located within 200 feet of any residential zone. The distance shall be measured from any property line of the restaurant to the closest residential zone line.

SECTION 2: This Ordinance shall take effect as provided by law.