

AMENDED FOR ADOPTION
TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
ORDINANCE 22-12

**AN ORDINANCE AMENDING USE REGULATIONS IN THE CLASS C DISTRICT,
AND MODIFYING THE PROCEDURE FOR CERTIFICATES OF CONTINUED
OCCUPANCY ON THE CHANGE OF OCCUPANCIES IN
THE WASHINGTON TOWN CENTER**

BE IT ORDAINED, by the Township Council of the Township of Washington, that Sections 580-62A and 580-86 of the Code of the Township of Washington (the "Code") are hereby amended as follows:

1. Section 580-62A of the Code is hereby amended as follows:

"§ 580-62. Use regulations.

A. Within any of the aforesaid Retail Business Section No. 1, Retail Business Section No. 2 and Retail Business Section No. 3, no building or structure or premises or area shall be used and no building or structure shall be erected to be used in whole or in part except for one of the following businesses or purposes:

(1) Municipal buildings, not including municipal shops or warehouses or buildings using power other than electrical power

(2) Public restaurants; post office; newspaper or job printing shop; and motion-picture theaters having a capacity of not more than 650 seats.

(3) Retail store or office, bank, copy center, UPS or Federal Express or similar national delivery service store, catering establishment for off-site delivery and pick-up, professional medical offices, general and professional offices, massage facility, children's party room, dry cleaning establishment for pick-up or delivery, but with no on-site cleaning activities, pet grooming store, tailor shop, shoe repair shop, barbershop, beauty parlor, bakery, plumbing shop, liquor store, fitness facility, gym, health club, medical service facility including physical therapy and urgent care services, health and wellness center, hair salon, nail salon, health spa, flower shop, ice cream shop, donut shop, coffee shop, pizza and sandwich shop, real estate sales agency, travel agency, telephone/wireless sales and service store, and computer sales and service store, provided that in the stores or shops no supplies or merchandise shall be carried other than supplies or merchandise typically sold in that approved business at retail on the premises; and provided further that only electrical power shall be used for operating machinery as may

be consistent with the business permitted by this section; and provided further that no supplies or merchandise or personal property of any kind whatsoever shall be stored or displayed outdoors; and provided further that any such use herein permitted shall not endanger the public health or safety or constitute a public nuisance or be noxious or offensive by reason of the emission of dust, smoke, gas or noise. As used herein, the term "retail store" shall mean a store in which retail sales occur when a business sells a product or service to an individual consumer for his or her own use."

2. Section 580-86 of the Code is hereby amended to add the following provisions thereto:

"F. Washington Town Center Changes In Occupancy.

A Certificate of Continued Occupancy shall be required upon any change in the occupancy of an existing store/space within the Washington Town Center. Prior to any new occupancy, the owner of the Washington Town Center or the proposed new occupant of the store/space, with the written consent of said owner, shall apply to the Township Building Department for the issuance of a Continued Certificate of Occupancy. The completed application shall be accompanied by a filing fee of \$100 for the application, which fee shall cover review of the application by the Chief Construction Official, Zoning Officer and/or Planning Board Engineer. The Zoning Officer or Chief Construction Official may, in his or her absolute discretion approve the application for a Continued Certificate of Occupancy without an appearance before the Township Planning Board. The determination of the Zoning Officer or Chief Construction Official shall not be reviewable or appealable. If the Zoning Officer or Chief Construction Official declines to issue a Certificate of Continued Occupancy, the owner or proposed new occupant shall be required to apply to the Planning Board for site plan review under the Code (see Section 540-76). Such application to the Planning Board shall require the posting of an escrow in the amount of \$500."

3. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.
4. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.
5. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON

Susan Witkowski,
Township Clerk

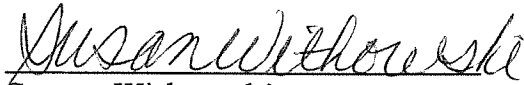
Desserie Morgan,
Council President

Introduction Date: June 8, 2022

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio							
Feeney							
Morgan							
Sears							
Velez							

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON



Susan Witkowski,
Township Clerk



Desserie Morgan,
Council President

Adoption Date: August 15, 2022

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio			X				
Feeney	X		X				
Morgan			X				
Sears		X	X				
Velez			X				