**ORDINANCE N0. 3-2015**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING Chapter 92, “zoning,” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE**

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Bloomingdale, in the County of Passaic and State of New Jersey, as follows:

**SECTION 1**. Chapter 92, "Zoning" of the Code of the Borough of Bloomingdale is hereby amended to add to §92-43, the following definition to read as follows:

Article XI. Definitions.

§ 92-43. Terms Defined.

Drive-In – An establishment that by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their vehicles

**SECTION 2**. Chapter 92, "Zoning," Article V, “Regulations Governing Certain Uses” of the Code of the Borough of Bloomingdale is hereby amended to add new § 92-26.5, which shall read as follows:

§ 92-26.5. Drive-Ins.

All drive-ins regardless of zone shall require an amended site plan to be approved by the Planning Board.

**SECTION 3**. Chapter 92, "Zoning," Article XII, “Schedule of Regulations” of the Code of the Borough of Bloomingdale is hereby amended to delete §92-54, “R-M-O Residential and Office Zone” in its entirety. Accordingly, the R-M-O zone shall be deleted from the zoning map and redesignate the zone as a B-1-A zone.

**SECTION 4**. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 5**. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 6**. This law shall take effect immediately upon final passage, approval and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on the 20th day of January, 2015, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on the 3rd day of March, 2015, at 7:00 P.M., at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance.

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Jane McCarthy, Municipal Clerk