

ORDINANCE 2023-12

AN ORDINANCE TO AMEND CHAPTER 90 AND CHAPTER 370 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO RELATING TO ALCOHOLIC BEVERAGES

WHEREAS, the Alcoholic Beverage Control Act, at N.J.S.A. 33:1-12(3)(a), provides generally that a municipality may authorize the issuance of a Plenary Retail Consumption Licenses; and

WHEREAS, the Township Council of Willingboro Council believes that certain amendments to Chapter 90 of the Code of the Township of Willingboro governing "Alcoholic Beverages" to modify the criteria relating to a Plenary Retail Consumption License are necessary to reduce the minimum number of patrons permitted at a bona fide restaurant or banquet facility in the B-1 Primary Business District and the allowable minimum square footage in the B-1 Primary Business District in order to expand opportunities for development in that District;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Township Council of the Township of Willingboro, County of Burlington and State of New Jersey that Chapter 90 and Chapter 370 of the Code of the Township of Willingboro are hereby amended as follows:

I. Chapter 90 is hereby amended to read as follows:

Article IV. Plenary Retail Consumption Licenses.

§90-15 (E). Restrictions.

No plenary retail consumption license shall be issued except to a bona fide restaurant or banquet facility with full menu service and seating for not less than:

1. Fifty (50) patrons in the B-1 Primary Business District.
2. One hundred and fifty (150) patrons in all other Districts which permit retail consumption use.

II. Chapter 370 is hereby amended to read as follows:

Article XI. B - 1 Primary Business District.

§370-51 (G). Permitted Accessory Uses.

The retail sale of liquor pursuant to Chapter 90, Article IV may be permitted

as a conditional accessory use to a principal retail use that has a minimum floor area of Thirty-Five Hundred (3,500) square feet located on the same parcel in the B-1 Primary Business District.

III. Repealer, Severability, and Effective Date.

- a. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- b. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- c. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

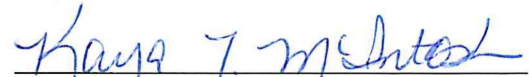
FIRST READING: JUNE 20, 2023

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson	X		X				
Councilwoman Perrone			X				
Councilwoman Worthy			X				
Deputy Mayor Whitfield		X	X				
Mayor McIntosh			X				

FINAL READING: JULY 5, 2023

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson		X	X				
Councilwoman Perrone							X
Councilwoman Worthy	X		X				
Deputy Mayor Whitfield			X				
Mayor McIntosh			X				

Attest:


Kaya T. McIntosh, Mayor


Brenda Bligen, Acting Township Clerk