

**AN ORDINANCE AMENDING CHAPTER 15, SECTION 11.14 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to further clarify the use of Drive-Up windows for public establishments within the Township.

**II. CHAPTER 5, SECTION 11.14 ENTITLED DRIVE-UP WINDOWS BE AND IS
HEREBY AMENDED AS FOLLOWS:**

A drive-up window shall be permitted as an accessory use for banks, restaurants, pharmacies and similar retail uses in the zoning districts in which such uses are permitted and shall meet the following conditions:

(j) Any restaurant must be situated on property consisting of 5 or more acres and provide ample queuing to ensure that no waiting vehicles are in or on a public thoroughfare or street.

(k) No Drive-Up windows shall be permitted for any cannabis businesses.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Tammy Williams
Council President

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan McCartney
Mayor

Introduced: September 5, 2023

Adopted: September 19, 2023

Approved as to form on the basis of the facts provided:

Legislative History

Drive-up establishments cause increased traffic and congestion which may cause hazard to pedestrians, cyclists and other cars create pollution with idling car and truck engines and create additional garbage. These conditions contradict environmental and livability goals of the Township. However, if sufficient land mass exists to provide safe egress and ingress, such uses may be appropriate. Nothing contained herein shall impact existing drive-up fast food and restaurant uses which are no subject to change.