

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 10.4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(OUTDOOR CAFES: FEES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 10.4 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 modify the fines set forth in Chapter 5, Section 10.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 10.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-10.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Outdoor Cafes-Fees” which specifies the fee to be paid in accordance with operating an outdoor café in the Township of West Orange shall be repealed and replaced by the following language:
 - a.** All applicants when submitting an application for an outdoor cafe license shall pay a nonrefundable application fee of to be prescribed by Resolution.
 - b.** Any successful applicant for an outdoor cafe which will be located on a public sidewalk or public easement shall pay an annual license fee to be prescribed by Resolution.
 - c.** Any successful applicant for an outdoor cafe which will be located on the property of an existing restaurant shall pay an annual license fee to be prescribed by Resolution for each outdoor seat.

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Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.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

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

INTRODUCED: May 2, 2023

ADOPTED: June 13, 2023

2759-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.