

Intro: 11/25/13
Adopt: 12/16/13

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2013-25**

**AN ORDINANCE AMENDING CHAPTER FORTY-FIVE,
ARTICLE THREE, SECTION 7.1
OF THE CODE OF THE TOWNSHIP OF FAIRFIELD**

WHEREAS, it has come to the Governing Body's attention that the Township Ordinance section 7.1 fails to clearly identify the uses which are intended to fall under the definition of "Indoor Recreational Facilities"; and

WHEREAS, the Governing Body intended the definition of "Indoor Recreational Facilities" to include uses of an athletic nature and crafts; and

WHEREAS, the Governing Body finds that the added prohibited uses are necessary to make clear that these prohibited uses were never intended to be a part of the definition of "Indoor Recreational Facilities"; and

WHEREAS, the Governing Body has legitimate public safety concerns that non-athletic use indoor entertainment would present real public safety issues, crowd control concerns and would have an unintended impact on Police resources; and

WHEREAS, the Governing Body finds that it is in the public interest to amend this ordinance to clarify the intent of its intent for this zone. .

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of Fairfield, County of Essex, State of New Jersey as follows:

1. Chapter 45, Article Three, Section 7.1 of the Ordinance of the Township of Fairfield, is hereby amended as follows:

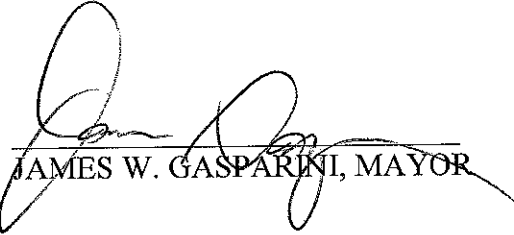
Section 45-7.1 amending language to read as follows:

Indoor Recreational Facilities shall mean facilities designed and equipped with indoor athletic equipment ~~and/or leisure time activities~~ contained entirely within the confines of a building, and open to the public for a fee. Indoor recreational facilities may include, but are not limited to, [**such related uses as**] health clubs, aerobic exercise facilities, gymnasiums, bowling alleys, billiard rooms, golf instruction, batting ranges, indoor tennis, [**crafts**] and similar activities. Movie theaters, concert halls, taverns, night clubs, dance clubs, social clubs, ~~and~~ cigar bars, [**interactive entertainment such as haunted houses and indoor haunted facilities, boxing, kickboxing, wrestling, cage fighting and similar activities**] shall not be considered indoor recreational facilities.

2. This Ordinance shall take effect after second reading and publication as required by law.

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3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed, valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.


JAMES W. GASPARINI, MAYOR

ATTEST:


DENISE D. CAFONE, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on November 25, 2013, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on December 16, 2013 at 7:30 p.m. at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk

Intro: 11/25/13
Adopt: 12/16/13

INTRODUCTION OF ORDINANCE #2013-25: November 25, 2013
**AN ORDINANCE AMENDING CHAPTER 45, ARTICLE 3 ADMINISTRATION OF
THE CODE OF THE TOWNSHIP OF FAIRFIELD SECTION 7.1 TERMS DEFINED**

INTRODUCED BY: Councilman LaForgia
SECONDED BY: Councilman Morgan
PUBLISHED: November 29, 2013

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT MICHAEL B. MCGLYNN				X	
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN JOHN LAFORGIA	X				
MAYOR JAMES GASPARINI	X				

2ND READING AND PUBLIC HEARING: December 16, 2013

INTRODUCED BY: Councilman LaForgia
SECONDED BY: Councilman McGlynn
PUBLISHED: November 19, 2013

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT MICHAEL B. MCGLYNN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN JOHN LAFORGIA	X				
MAYOR JAMES GASPARINI	X				