

Ordinance #13-1378

**AN ORDINANCE TO AMEND CHAPTER XXXIV, COMPREHENSIVE DEVELOPMENT, OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF MILLTOWN, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, TO PROHIBIT HOOKAH LOUNGES IN ALL DISTRICTS.**

**BE IT ORDAINED** by the Borough of Milltown of the County of Middlesex and State of New Jersey that the Revised General Ordinances of the Borough of Milltown be amended as follows:

**Section 1.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 12, Definitions is hereby amended to include the following:

**34-12 DEFINITIONS**

As used in this chapter:

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**Hookah Lounge** shall mean a place of business, regulated by the New Jersey Smoke Free Air Act, N.J.S.A. 26:3D-55 to N.J.S.A. 26:3D-64, where patrons smoke substances made of herbs and fruit, including tobacco, from hookahs.

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**Section 2.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 20, Residential Districts is hereby amended to include the following:

**34-20 RESIDENTIAL DISTRICTS**

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**34-20.2 R-4 Single Family Residential Zone.**

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e. *Prohibited Uses.*

\* \* \*

3. Hookah Lounges.

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**34-20.3 R-6 Single Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

3. Hookah Lounges.

\* \* \*

**34-20.4 R-4A Two-Family Residential Zone**

e. Prohibited Uses

2 Hookah Lounge

**34-20.5 R-8 Single Family Residential Zone**

e. Prohibited Uses

3 Hookah Lounges

3 Hookah Lounges

**34-20.6 R-10 Single Family Residential Zone**

e. Prohibited Uses

3 Hookah Lounges

3 Hookah Lounges

**34-20.7 R-15 Single Family Residential Zone**

e. Prohibited Uses

e. Prohibited Uses

3 Hookah Lounges

**34-20.8 RM-M Residential Multifamily – Midrise Zone**

e. Prohibited Uses

e. Prohibited Uses

3 Hookah Lounges

**Section 3.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 21, Commercial District Zone is hereby amended to include the following:

**34-21 COMMERCIAL DISTRICTS.**

**34-21.1 B-1 Commercial District Zone.**

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- f. *Prohibited Uses.*
- \*\*\*
- 16. Hookah Lounges.
- \*\*\*

**34-21.2 B-2 Commercial Center Zone.**

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- f. *Prohibited Uses.*
- \*\*\*
- 10. Hookah Lounges.
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**34-21.3 B-2A Commercial/Senior Citizen Housing Zone.**

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- f. *Prohibited Uses.*
- \*\*\*
- 10. Hookah Lounges.
- \*\*\*

**34-21.4 B-3 Limited Commercial.**

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- f. *Prohibited Uses.*
- \*\*\*
- 7. Hookah Lounges.
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**34-21.5 B-4 Highway Strip Commercial Zone.**

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f. Prohibited Uses.

10. Hookah Lounges.

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**34-21.6 B-5 Highway Strip Commercial Zone.**

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f. Prohibited Uses.

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f. Prohibited Uses.

10. Hookah Lounges.

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**Section 4.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 22, Industrial Districts is hereby amended to include the following:

**34-22 INDUSTRIAL DISTRICTS.**

**34-22.1 M-1 Light Industrial Zone.**

f. Prohibited Uses.

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f. Prohibited Uses.

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17. Hookah Lounges.

**Section 4.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 22, Industrial Districts is hereby amended to include the following:

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**Section 5.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 23, Residential-Senior Citizen Housing Zone is hereby amended to include the following:

**34-22.1 M-1 Light Industrial Zone.**

**34-23 RESIDENTIAL SENIOR CITIZEN HOUSING ZONE.**

**34-23.1 R-SC Residential-Senior Citizen Housing Zone.**

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f. Prohibited Uses.

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3. Hookah Lounges.

**Section 5.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 23, Residential-Senior Citizen Housing Zone is hereby amended to include the following:

**34-23.1 R-SC Residential-Senior Citizen Housing Zone.**

**Section 6.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 24, Community Service Zone is hereby amended to include the following:

**34-24 COMMUNITY SERVICE ZONE.**

**34-24.1 C-S Community Service Zone.**

e. *Prohibited Uses.*

\* \* \*

2. Hookah Lounges.

\* \* \*

\* \* \* \*

**Section 7.** Each clause, section or subsection of the ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

**Section 8.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

**Section 9.** This ordinance shall take effect immediately upon adoption and publication according to law.

ADOPTED ON FIRST READING  
DATED: May 13, 2013

ADOPTED ON SECOND READING  
DATED: May 28, 2013

\_\_\_\_\_  
Michael S. Januszka, Municipal Clerk

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Michael S. Januszka, Municipal Clerk

APPROVAL BY MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

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Eric A. Steeber, Mayor

