**O: 2021-01**

**ORDINANCE AMENDING CHAPTER 625*, ZONING*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD FLEA MARKET/ANTIQUE MALL AS A PERMITTED USE IN THE I-1 ZONE, TO DEFINE FLEA MARKET/ANTIQUE MALL AND TO ADD PARKING STANDARDS FOR SAID USE AND TO DESIGNATE PAWN SHOPS AS A NONPERMITTED USE IN THE I-1 ZONE**

**BE IT ORDAINED** by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey as follows:

Section 1.

Chapter 625, *Zoning*, Article XV, *I-1 Industrial Light Zone,* Section 71, *Permitted Principal Uses* is amended by adding a new subsection (G) Flea Market/Antique Mall

Chapter 625, *Zoning*, Article II, *Definitions*, Section 3, *Construction; definitions* is amended by adding the following definition:

**FLEA MARKET / ANTIQUE MALL**

A location at which permanent buildings or structures with enclosed walls, framed roofs and structural footings and foundations are rented or otherwise made temporarily available to two or more persons and at which the persons offer tangible personal property and antique items for sale.

Chapter 625, *Zoning*, Article VII, *Parking, Loading and Driveways,* Section 32, *Parking Space Requirements,* is amended by adding the following:

Section 625-32 Parking Space Requirements.

B.(1), Non-Residential Uses

**USE                                                                 NUMBER OF SPACES**

Flea Market / Antique Mall                            1 for each employee at peak shift plus 1

for each 250 square feet of vendor stalls; 1 for each 200 square feet of all others

Chapter 625, *Zoning*, Article XV, *I-1 Industrial Light Zone,* Section 73, *Nonpermitted Uses*, is amended by adding Pawn Shops as a specified nonpermitted use.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

Section 3. In the event any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall only apply to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

Section 4. This ordinance shall take effect immediately upon its final passage and publication as provided by law.

ATTEST: TOWN OF PHILLIPSBURG

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VICTORIA L. KLEINER, RMC TODD TERSIGNI

Municipal Clerk Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their February 02, 2021 meeting.

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VICTORIA L. KLEINER, RMC