

Chapter 12

ADULT USES

§ 12-1. Intent.

§ 12-2. Purposes.

§ 12-3. Definitions.

§ 12-4. Location restrictions.

§ 12-5. Conditional use waiver.

§ 12-6. When effective; repealer.

[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 4-7-1988 as Ord. No. 9-1988. Amendments noted where applicable.]

Be it ordained by the Mayor and Common Council of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 12-1. Intent.

The location of uses and establishments catering solely to adults shall be restricted in accordance with the following provisions and for the following purposes.

§ 12-2. Purposes.

As it has been deemed a responsibility of the City of Gloucester to preserve the quality of life for its citizens, this ordinance is hereby adopted in order to maintain an urban lifestyle and promote the zoning scheme and purposes of this city.

§ 12-3. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

ADULT STORE and ADULT ESTABLISHMENT — Any establishment which has a substantial or significant portion of its stock in trade books, magazines or other periodicals, films or business activities restricted to adults and which excludes minors by virtue of age. Excluded from this section are establishments licensed for the sale or consumption of alcoholic beverages.

§ 12-4. Location restrictions.

No such adult bookstores or adult establishments shall be located in any structure within one thousand (1,000) feet from the nearest property line of any land in any residential zone or within one thousand (1,000) feet from the nearest property line of any public, private or parochial school, hospital, clinic, private or public or semipublic institutions, library, park, playground or other recreational facility, whether commercial or nonprofit, in any other zone, or within one thousand (1,000) feet from the nearest property line of any church, convent, monastery, synagogue or similar place of worship, or within one thousand (1,000) feet from any bar, tavern or other facility licensed for the consumption or sale of alcoholic beverages or within one thousand (1,000) feet of any other adult store or adult establishment.

§ 12-5. Conditional use waiver.

A waiver of the distance requirements above may be granted by the Planning Board upon proper application for an exception for special cases, provided that the applicant obtains a consent for a waiver signed by fifty-one percent (51%) of all affected local residents, businesses and property owners affected herein, defined as all persons or businesses or uses within said one thousand (1,000) feet sought to be waived, and further provided that the Board is satisfied that:

- A. The proposed use will not be contrary to the public interest or

injurious to nearby properties, and the spirit and intent of this ordinance will be observed.

- B. The proposed use will not enlarge or encourage the development of a skid-row area.
- C. The establishment of any additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal.
- D. All applicable regulations of this ordinance will be observed.

§ 12-6. When effective; repealer.

This ordinance shall take effect upon publication in accordance with law, and all other ordinances and parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed.