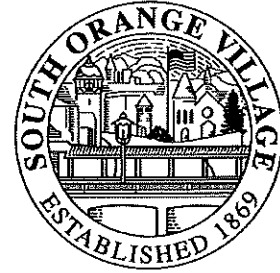


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ORDINANCE #2026-15

Introduction: April 13, 2026

Adoption: April 27, 2026

AN ORDINANCE OF SOUTH ORANGE VILLAGE IN ESSEX COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING VILLAGE CODE CHAPTER 96 TO REGULATE GYM USES

WHEREAS, Chapter 185 Section 3 defines a gym as "A facility whose primary purpose is to offer a wellness program, health club, fitness center, gymnasium or other facility that offers physical activity, recreation, or nutrition services, and may include equipment or space for fitness and exercise activities and may include incidental sauna, spa or hot tub facilities"; and

WHEREAS, the Village Code currently requires that retail businesses, including gyms, operate between the hours of 6:00am and 11:00pm; and

WHEREAS, Village residents have requested gyms be permitted to open earlier; and

WHEREAS, the Village Council finds it appropriate to establish hours of operation for gyms from 5:00am to 11:00pm to satisfy the desires of the community.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of South Orange Village, in the County of Essex and the State of New Jersey as follows:

SECTION 1.

Chapter 96 is hereby supplemented with new Sections 39, 40, and 41 as follows:

96-39 Definitions

Definitions. As used in this article, the following terms shall have the meanings indicated:
GYM – A facility whose primary purpose is to offer a wellness program, health club, fitness center, gymnasium or other facility that offers physical activity, recreation, or nutrition services, and may include equipment or space for fitness and exercise activities and may include incidental sauna, spa or hot tub facilities.

96-40 Gyms

Gyms shall be allowed to operate within South Orange Village during the following hours: 5:00 a.m. to 11:00 p.m. on all days of the week.

96-40 Enforcement

This article shall be enforced by the Village's Code Enforcement officers or their designees as may be required.



96-41 Violations and Penalties

Any person who violates any provision of this article shall be subject to punishment as set forth in Chapter 1, Section 17, General Penalty, of this Code.

SECTION 2.

Chapter 96, Section 4 is hereby amended as follows:

96-4 Retail Businesses

1. Definitions. As used in this section, the following terms shall have the meanings indicated:

RETAIL BUSINESS — A business which conducts, for the benefit of the public, any retail trade or service use at a store and/or shop located within South Orange Village. The types of businesses which are hereby regulated include but are not limited to department stores; general merchandise stores; furniture stores; home furnishings and equipment stores; hardware stores; household appliance stores; radio, television and music stores; apparel and accessory stores; barbershops; shoe repair shops; bakeries; laundromats; florist shops; beauty shops; tailor shops; insurance agencies; banks; financial institutions; and other similar service uses. For purposes of this section of the Code of South Orange Village, public restaurants and taverns, gyms, indoor theaters, motion-picture theaters and other places where cultural and educational assemblies are being conducted shall not be considered to be retail businesses.

2. Retail businesses shall be allowed to operate within South Orange Village during the following hours: 6:00 a.m. to 11:00 p.m. on all days of the week.

3. This section which regulates hours of operation on all days of the week of retail businesses shall be interpreted to prohibit only the transaction of business with the public during the hours stated. This section of the Code shall not be deemed to prohibit the owners and operators of retail businesses from engaging in activities such as stacking of shelves, inventory taking, etc., within the premises occupied by their businesses during those hours when the doing of business is prohibited, provided that the conducting of such activities does not create or generate noises or sounds which may be heard outside of the walls of any building which is on the premises where the retail business is located.

SECTION 3.

REPEALER.

All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.



SECTION 4.

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 5.

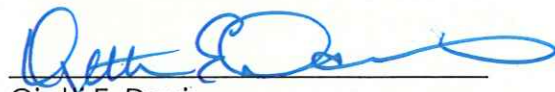
On passage and publication, this Ordinance shall be codified.

Introduction and First Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning		X	X			
Greenberg			X			
Haskins			X			
Jones			X			
Lewis-Chang	X		X			
Zollman			X			

CERTIFICATION

I, Ojetti E. Davis, Village Clerk of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced and advanced on first reading by the Village Council at their meeting held on April 13, 2026.


Ojetti E. Davis
Village Clerk

Adoption – Second Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning		X	X			
Greenberg			X			
Haskins			X			
Jones			X			
Lewis-Chang			X			
Zollman	X		X			



CERTIFICATION

I, Ojetti E. Davis, Village Clerk of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Village Council at their meeting held on April 27, 2026.



Ojetti E. Davis
Village Clerk

Adopted:


Sheena C. Collum, Mayor

Attest:


Ojetti E. Davis, Village Clerk