

**ORDINANCE NO 4-2020
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 15 “PROPERTY MAINTENANCE”, SECTION 15-3 “REGULATIONS AND REQUIREMENTS” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

WHEREAS, the Borough Code currently sets forth restrictions and limitations with regard to the keeping and parking of commercial vehicles in the Borough; and

WHEREAS, the Borough Ordinance Review Committee has reviewed these restrictions and limitations and recommended certain changes be made for consistency and clarification purposes; and

WHEREAS, the Borough Council has reviewed the recommendations of the Ordinance Review Committee and agreed with the recommended changes in order to ensure consistency and clarification.

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, as follows:

SECTION 1. Chapter 15 “Property Maintenance”, Section 15-3 “Regulations and Requirements”, Subsection 15-3.5 “Maintenance” shall be amended as follows:

§15-3.5 Maintenance.

a. It shall be the duty of the owner, operator and/or occupant to keep the exterior of the premises free of nuisances, which include but are not limited to the following:

1. Garbage and/or refuse.
2. Natural Growth.
 - (a) Natural growth, such as dead and dying or storm-damaged trees and limbs or other growth which, by reason of its condition or nature, constitutes a hazard to persons lawfully in the vicinity. Trees shall be kept pruned and trimmed to prevent such conditions. Owners of vacant premises must keep them free of nuisances.
 - (b) In case any tree, shrub or other vegetation, or any part thereof, which is not part of an approved site plan, in or along a public right-of-way shall encroach upon/or become dangerous to public safety or property, the owner of the property on which such tree, shrub or other vegetation is located shall remove same, or required part thereof,

forthwith on service of written notice to that effect from the Property Maintenance Officer.

3. Overhanging objects and accumulations of ice and/or snow which, by reason of their location above ground level, constitute a danger of falling on persons lawfully in the vicinity.

4. Ground surface hazards, such as holes, excavations, breaks and projections, broken or defective curbs or sidewalks on residential premises within five (5) feet of an unfenced property line or on any part of a nonresidential premises to which the public has lawful access.

5. Sources of infestation, including all environments and conditions conducive to the increase or spread of vermin.

b. It shall be the duty of the owner, operator and/or occupant to keep and maintain the exterior of the premises and structures so that the appearance of the same shall not constitute a blighting factor, including but not limited to the following:

1. Storage of commercial and industrial material. There shall not be stored or used, at a location exposed to public view, equipment and materials relating to commercial or industrial uses, unless permitted under the zoning ordinance.

2. Landscaping. Premises along the public right-of-way shall be kept in a maintained state, free of refuse. Vegetation along the public right-of-way shall be kept from becoming a hazard to pedestrians and motorists.

3. General maintenance. The exterior of every structure shall be maintained in good repair for purposes of preservation and appearance and free of conditions reflective of deterioration or inadequate maintenance, including but not limited to broken glass, excessively peeling or deteriorated paint, loose shingles and crumbling stone or brick.

4. Front yard parking; commercial vehicle parking; registered school vehicle parking.

(a) No person shall park any motor vehicle or boat in any front yard area except on driveways constructed and installed in compliance with Borough ordinances, and no driveway shall be wider than fifty (50%) percent of the front yard width of any property. No such motor vehicle shall be in conflict with Borough Ordinance 92-22F.

(b) In any residential zone, except as provided herein, no person shall use the property for the parking of commercial vehicles or registered school vehicles, except as permitted by Borough Ordinance 92-22F

All other portions of this Section remain unchanged.

SECTION 2. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This law shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at an Official Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on January 21, 2020, and the same shall come up for final passage at an Official Meeting of the Governing Body to be held on February 4, 2020 at 7PM, at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance. Copies of this Ordinance are available in the Clerk's Office located at 101 Hamburg Turnpike, Bloomingdale, New Jersey.

Breeanna Calabro, RMC
Municipal Clerk

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Breeanna Calabro, Clerk

By: _____
Jonathan Dunleavy, Mayor