**ORDINANCE NO. 21-2016**

**OF THE GOVERNING BODY**

**OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AMEND SECTION 92–58 OF THE BOROUGH CODE, ENTITLED “M-1-Q LIGHT INDUSTRIAL AND QUARRY ZONE”**

 **WHEREAS,** the Mayor and Borough Council have reviewed permitted use of excavations and related operations within the Borough and specifically the M-1-Q zone.

 **NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bloomingdale that the Borough Code is hereby amended as follows:

 **SECTION ONE.** Section 92-58, Subsection (C) of the Code of the Borough of Bloomingdale is hereby added:

 C. Hours of Operation for Commercial Quarrying and Excavation.

1. Shipping and transportation are permitted 8 AM to 5 PM Monday through Friday and 8 AM to 12 Noon Saturday, excluding Sunday, Memorial Day, Labor Day, Independence Day, Thanksgiving, Christmas and New Years day. If access to the site is from Union Ave., Wanaque, shipping and transportation shall be permitted at all hours.
2. Ancillary and support functions, such as material movement within the site and maintenance activities are permitted at all hours.
3. Drilling is permitted between the hours of 7 AM and 5 PM, excluding , Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas and New Year’s Day.
4. Blasting is permitted between the hours of 8 AM and 5 PM, excluding Saturday, Sunday, Memorial Day, Independence Day Labor Day, Thanksgiving, Christmas and New Year’s Day.
5. Material processing, such as stone crushing, is permitted 5 AM to 9 PM Monday through Saturday, excluding Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas and New Year’s Day.
6. Asphalt processing is permitted at all hours.
7. Concrete recycle operations is permitted 5 AM to 7 PM Monday through Saturday, excluding Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas and New Year’s Day.

All operations activity must be in compliance with all noise regulation provisions of N.J.S.A. 13:1G-1 et. seq. and N.J.A.C. 7:29-1 et. seq.

**SECTION 2.**All ordinances of the Borough of Bloomingdale, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.**If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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

NOTICE IS HEREBY GIVEN, that the above Ordinance was ***reintroduced*** and passed on first reading at the Regular Meeting of the Governing Body of the Borough of Bloomingdale held in the Municipal Building on the \_\_\_\_ day of September, 2016, and the same shall come up for final passage at the Regular Business Meeting of the Governing Body to be held on the \_\_\_\_ day of October 2016, at 7:00 P.M., at which time any persons interested shall be given the opportunity to be heard concerning said Ordinance.

***Jane McCarthy, Municipal Clerk***

***Borough of Bloomingdale***