**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, but not permitted Sunday and legal holidays. 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, shall be permitted at all hours.
3. Drilling is permitted between the hours of 7 AM and 5 PM, excluding Saturday, Sunday and legal holidays.
4. Blasting may operate between the hours of 8 AM and 5 PM, excluding Saturday, Sunday and legal holidays.
5. Material processing, such as stone crushing, may operate 5 AM to 7 PM, excluding Sunday and legal holidays.
6. Asphalt processing may operate at all hours to satisfy public agency, such as NJDOT, and private contract requirements for off-peak and night operations.
7. Concrete recycle operations may operate 5 AM to 7 PM, excluding Sunday and legal holidays.

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ordinances of the Borough of Bloomingdale, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.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

**APPROVED:**

 BOROUGH OF BLOOMINGDALE

 COUNTY OF PASSAIC

ATTEST: STATE OF NEW JERSEY

 By:

Jane McCarthy, Clerk Jonathan Dunleavy, Mayor