

BOROUGH OF BERGENFIELD

Ordinance No. 19-2552

AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "LAND DEVELOPMENT"

WHEREAS, Chapter 186 of the Code of the Borough of Bergenfield sets forth all regulations regarding Land Development in the Borough of Bergenfield; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Section 1

ARTICLE I, General Provisions, §186-3 Definitions is hereby amended to include the following terms in proper alphabetic order:

IMPERVIOUS SURFACE – A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. Examples of impervious surfaces include but are not limited to: brick pavers, crushed stone, gravel, paver blocks, porous paving, decks, patios, elevated structures and other similar surfaces and/or improvements.

INFILTRATION- The process by which water seeps into the soil from precipitation.

Section 2

ARTICLE IV, Zoning Regulations and Establishment of Zones, §186-40 Regulations applicable to all zones is hereby amended by inserting the following provision:

M. The total amount of impervious coverage on any lot or associated with any development shall not exceed the allowable limitation as set forth in Schedule B, except that to discourage the use of bituminous asphalt or concrete, a 10% bonus is allowable when a property owner replaces existing bituminous asphalt or concrete surface with brick pavers. By way of illustration, if a property owner removes 750 square feet of bituminous asphalt, 825 square feet of brick pavers would be allowed as a replacement impervious surface. This bonus provision is expressly not available when a property owner seeks to enlarge, expand or extend impervious coverage on a lot.

Section 3

All Ordinances of the Borough of Bergenfield which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4

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 5

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

**NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a meeting of the Borough of Bergenfield on the 18<sup>th</sup> day of June, 2019 and passed on first reading, and the same was ordered for final passage at a meeting of the Council to be held at the Municipal Building in the Borough of Bergenfield, Bergen County, New Jersey, on the 20<sup>th</sup> day of August, 2019 at 8 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning such Ordinance.**

**Borough Clerk**