



**2017
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA				
DI PAOLO				
GEIST				
MANNA				
MORRELL				
RIQUELME				
MAYOR KELLY				
TOTALS				

Ordinance No. 1520

Date: June 13, 2017

Page: 1 of 2

Subject: Driveway Width

Purpose: Amend Chapter 380-3

Dollar Amount: _____

Offered by: _____

Seconded by: _____

Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance Adopted at 2nd Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

ORDINANCE AMENDING DRIVEWAYS-CHAPTER 380-3 OF THE DUMONT CODE

WHEREAS, it is the express purpose of this Chapter to protect the public health, as well as the safety and welfare of the public by establishing standards governing the maintenance, condition and occupancy of premises situations in the Borough, used or intended to be used for single or multi-family dwelling residential purposes, and to establish standards governing such physical components and conditions essential to make such premises fit for human habitation or occupancy, and to prevent blighting conditions; and

WHEREAS, it has been brought to the attention of the Mayor and Council that there is a need to amend Chapter §380-3 of the Borough of Dumont Code to permit and encourage vehicular

parking on improved paved driveways on the property of multi-family residences and commercial premises;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter of the Dumont Borough Code known as §380-3 Driveways shall be amended as hereinafter provided:

§380-3 shall be amended to read:

“All driveways across any sidewalk shall not exceed 20 feet in width, and shall cross the sidewalk at right angles thereto and in a straight line until at least five feet from the curbline. No asphalt shall be overlaid past the gutter line. Such driveways shall be laid on the established grade of the sidewalk, and in such manner, that the surface water thereof shall be conducted to the street gutters. Driveway width between 16 feet and 20 feet shall not constitute additional lot coverage for the purposes of calculating such limitation to be in accordance with zoning limitations defined elsewhere within the Borough Code.”

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC, Municipal Clerk

Introduced: May 16, 2017

Adopted: June 13, 2017



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TOTALS				

Ordinance No. 1521

Date: June 13, 2017

Page: 1 of 3

Subject: Driveways and other Paved Areas

Purpose: Amend Chapter 455-20

Dollar Amount: _____

Prepared By: Gregg Paster, Esq.

Offered by: _____
Seconded by: _____

Certified as a true copy of an Ordinance Adopted at 2nd Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

**ORDINANCE AMENDING ZONING: DRIVEWAYS AND OTHER PAVED AREAS
CHAPTER 455-20 OF THE DUMONT CODE**

WHEREAS, it is the express purpose of this ordinance to regulate the nature and extent of the uses of land and of building structures through zoning to the fullest extent permitted by the Municipal Land Use Law, the Constitutions of the United States and the State of New Jersey, and to generally exercise the police power; and

WHEREAS, it has been requested by the Dumont Joint Land Use Board that Chapter 455 of the Borough of Dumont Code be amended to appropriately clarify the building permits procedure following Board approval and the responsibilities therein.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that the Chapter of the Borough of Dumont Code known as §455-20 Driveways and other paved areas shall be amended as hereinafter provided:

§455-20 A. shall be amended to read:

“In the RA Residential District, no driveway or other paved area having a total width of more than 20 feet shall be installed or extended in any front yard area, nor shall any curb cut for such driveway exceed the width of 20 feet. However, in the case of a driveway leading to a garage which opens at the front of the dwelling structure and is a connected, integral part of that structure, this section shall not prevent the installation or extension of a driveway or other paved area having a width no greater than 150% of the total width of such garage, and then for only so long as such garage exists.”

§455-20 B. shall be amended to read:

“In the RA Residential District, no driveway or other paved area having a total width of more than 20 feet shall be installed or extended beyond the setback line or in the rear yard, except if the width of such driveway or paved area is equal to 150% of the width of the garage to which such driveway leads, and then only so long as such garage exists. However, nothing contained in this subsection shall be construed to permit the installation or extension of a driveway or other paved area wider than those permitted by Subsection A above in the front yard of the premises.”

A new subchapter, §455-20 C. shall be added to read:

“Driveway width between 16 feet and 20 feet, as permitted in Sections A and B above shall not constitute additional lot coverage for the purposes of calculating such limitation to be in compliance with zoning limitations defined elsewhere within the Borough Code.”

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC
Municipal Clerk

Introduced: May 16, 2017
Adopted: June 13, 2017



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TOTALS				

Ordinance No. 1522

Date: June 13, 2017

Page: 1 of 3

Subject: Off-Street Parking

Purpose: Amend Chapter 455-17

Dollar Amount: _____

Offered by: _____
Seconded by: _____

Prepared By: Gregg Paster, Esq.

Certified as a true copy of an Ordinance Adopted at 2nd Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

**ORDINANCE AMENDING OFF-STREET PARKING CHAPTER 455-17 OF
THE DUMONT CODE**

WHEREAS, it is the express purpose of this Chapter to protect the public health, as well as the safety and welfare of the public by establishing standards governing the maintenance, condition and occupancy of premises situation in the Borough, used or intended to be used for single or multi-family dwelling residential purposes, and to establish standards governing such physical components and conditions essential to make such premises fit for human habitation or occupancy, and to prevent blighting conditions; and

WHEREAS, it has been requested by the Dumont Police Department that Chapter 455 of the Borough of Dumont Code be amended to explicitly prohibit vehicular parking on grassy front yards and side yards surrounding single and two family residences and commercial dwellings, not designated or zoned as driveways; and

WHEREAS, the Borough seeks to diminish the environmental contamination resulting from the discharge of motor vehicles fluids such as air conditioning refrigerant, motor oil, and radiator fluid, into the soil and groundwater;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 455-17 Off-street parking of the Borough of Dumont Code shall be amended as hereinafter provided:

No vehicle shall be permitted to park, stop, or stand on any surface that is not an impervious surface. To that end, language will be added to Chapter 455-17.

455-17 E shall be amended to read

“All off-street parking spaced and driveways shall be paved *or otherwise constructed with an impervious surface*, pursuant to the provisions of this chapter.”

The definition of “Impervious Surface” will be added to Chapter 455-5 (B).

455-5 (B) shall be amended to include the following definition and accompanying examples:

“IMPERVIOUS SURFACE

“A surface covered with a layer of material that is highly resistant to water infiltration. Examples of impervious surfaces include asphalt, macadam, concrete, brick pavers, and compacted surfaces.

Examples of surfaces that are specifically not classified as impervious surfaces include dirt, earth, grass, gravel, rock, sand, wood chips, nor any other loose, non-compacted surface covering.”

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Penalties. Violations of this section shall be punishable pursuant to the terms and conditions of Chapter 21 Section 2 of the Borough of Dumont code, and each day during which the violation shall continue may be considered a separate violation.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC
Municipal Clerk

Introduced: May 16, 2017
Adopted: June 13, 2017



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TOTALS				

Ordinance No. 1523

Date: June 13, 2017

Page: 1 of 3

Subject: Sewage Bond Ordinance

Purpose: Authorization

Dollar Amount: \$80,000

Offered by: _____
Seconded by: _____

Prepared By: Jason Capizzi, Esq.

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

BOND ORDINANCE PROVIDING FOR SEWERAGE SYSTEM IMPROVEMENTS BY THE BOROUGH OF DUMONT, APPROPRIATING \$80,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$76,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUMONT (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Dumont, a municipal corporation of the State of New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$80,000, including the sum of \$4,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$76,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement or purpose hereby authorized for which bonds or notes are to be issued is sewerage system improvements, including the replacement of storm water pipes and catch basins through the Borough as set forth on the project list on file in the Clerk's office, and all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this bond ordinance.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 40 years.

(c) An aggregate amount not exceeding \$12,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$76,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Attest:

Susan Connelly, RMC
Municipal Clerk

James J. Kelly, Mayor

Introduced: June 13, 2017
Adopted:

2017-06-13 10:11 AM
www.muhimbi.com



2017 BOROUGH OF DUMONT ORDINANCE

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RIQUELME				
MAYOR KELLY				
TOTALS				

Ordinance No. 1524

Date: June 13, 2017

Page: 1 of 5

Subject: Grease Trap-Supplementing Sewers Chapter 339

Purpose: Approval

Dollar Amount: _____

Prepared By: Gregg Paster, Esq.

Offered by: _____
Seconded by: _____

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
) **Borough of Dumont, Bergen County, New Jersey**

ORDINANCE SUPPLEMENTING SEWERS CHAPTER 339 OF THE DUMONT CODE

WHEREAS, it is the express purpose of this Chapter to protect the public health, as well as the safety and welfare of the public by establishing standards governing the maintenance, condition and contents of sewers in the Borough, used or intended to be used for residential, commercial, and industrial purposes, and to establish standards governing such physical components and conditions essential to make such sewers fit and safe; and

WHEREAS, it has been brought to the attention of the Mayor and Council that there is a need to amend and supplement Chapter §339 of the Borough of Dumont Code to more precisely define

and prohibit the discharge of certain chemicals, byproducts, or materials into the Borough's sewer system; and

WHEREAS, it is in the interest of the Borough to adopt new legislation that will provide guidance in the form of municipal standards where any potentially objectionable matter might be discharged in the municipal sewer lines;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter of the Dumont Borough Code known as §339 Sewers shall be amended and supplemented as hereinafter provided:

The present section codified as §339-30 shall be replaced. §339-30 shall henceforth read as follows:

§339-30. Discharge of materials causing harmful reactions prohibited.

The discharge or deposit of any substance or matter into the sanitary sewer system of the Borough or laterals tributary is prohibited if it shall cause or result in any of the following:

- A. Chemical reaction, either directly or indirectly, with the materials of construction to impair the strength or durability of any sewer structure;
- B. Mechanical action that will destroy or damage the sewer structure;
- C. Restriction of hydraulic capacity of sewer structure;
- D. Restriction of normal inspection or maintenance of the sewer structure;
- E. Placing of unusual demands on the sewerage treatment equipment or process;
- F. Limitation of effectiveness of the sewer treatment process.

Chapter 339 will be further supplemented with the addition of the following sections:

§339-31. Grease, oil, and sand interceptors.

- A. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Building Department, Health Department, or the Department of Public Works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type and capacity approved by the Building Department, Health Department, or the Department of Public Works, and shall be located so as to be readily and easily accessible for cleaning and inspection.

- 100-100-100-100
100-100-100-100
- B. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of a substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.
 - C. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner at his or her expense in continuously efficient operation at all times.
 - D. Where installed, all grease, oil, and sand interceptors shall require by-weekly inspection and monthly cleaning including removal of grease, cleaning of baffles, and removal of solids in the bottom of the interceptor. Complete pumping out of the interceptor will be as-needed. If in the opinion of the Building Department, Health Department or the Department of Public Works that the frequency of cleaning needs to be increased, such frequency of cleaning shall be at the discretion of the Building Department, Health Department, or the Department of Public Works.
 - E. Where installed, all grease, oil, and sand interceptors shall require a permit issued by the Building Department. The permit shall last for one year to be renewed annually. The permit fee shall be \$150.00 annually.

§339-32. Pretreatment.

- A. All grease and oil interceptors installed prior to and during the code's adoption, and also future installations, must, at the owner's expense, develop and maintain a grease pretreatment program. This program will be subject to review and approval by the Building Department, Health Department, and the Department of Public Works.
- B. Discharge from said establishments shall not exceed the discharge limits, as set forth by the Bergen County Utilities Authority Manual of Rules and Regulations for the Direct and Indirect Discharge of Wastewater to the BCUA Treatment Works.
- C. Any establishment with a grease trap or interceptor grants the Building Department, Health Department, and the Department of Public Works representatives the right of entry at any time if, in their opinion, grease buildup is excessive within the Borough's sewer pipes, and also to monitor the pretreatment program as established by the owner of said establishment.
- D. Grease traps or interceptors must be cleaned in accordance with specifications described in Section 339-31:D and a log must be kept for review by representatives of the Building Department, Health Department, and the Department of Public Works. Notification of who the grease removal or cleaner is must be provided to representatives of the Building Department, Health Department, and the Department of Public Works for recordkeeping.
- E. Compliance with this Section must be completed within 60 days of adoption.

§339-33. Control Manhole.

When required by the Building Department, the owner of any property served by a house connection or building sewer carrying industrial waste shall install a suitable manhole in the building sewer to facilitate observation, sampling, and measurement of the waste. Such manhole, when required, shall be accessibly and safely located and constructed in accordance with plans approved by the Building Department. The manhole shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

§339-34. Damage to System.

- A. No person shall break, damage, destroy, deface or tamper with any structure appurtenance or equipment which is a part of the municipal sewer system.
- B. Any person who, by reason of violation of the provisions of this article or other improper use of the municipal sewer system or any o its branches, appurtenances, or connections, shall cause damage to said municipal sewer system or to the facilities of the Bergen County Utilities authority to which the municipal sewer system is connected by reason of which the Borough may sustain damage or may be or become liable to the Bergen County Utilities Authority for damages it may sustain, shall be liable to the Borough for all costs and expenses that may be incurred by the Borough for the correction of such damage. The Borough shall have the right to recover such costs and expense from any such person by appropriate action of law in any court of competent jurisdiction. The right of the Borough to be reimbursed for any costs and expenses, including reasonable engineering and legal fees and costs incurred by it by reason of such damages, shall be an additional remedy and such shall also be subject to the penalties contained in this article for violation of its provisions.

§339-35. Violations and Penalties.

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$2,000.00, or by imprisonment for a term not exceeding 90 days, or both. Upon a re-inspection of a violation after allowing ten (10) days to resolve the violation, the Borough will enforce a shutdown of the business until such violation has been rectified to the extent that the business is in compliance with this Ordinance.

Invalidity. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

BOROUGH OF DUMONT

James J. Kelly, Mayor

ATTEST:

Susan Connelly, RMC
Municipal Clerk

Introduced: June 13, 2017

Adopted: _____, 2017

