

**BOROUGH OF OGDENSBURG
COUNTY OF SUSSEX
ORDINANCE 04-2019**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY ADOPTING AND
CODIFYING CHAPTER 30 LAND DEVELOPMENT.**

WHEREAS, the Borough Council of the Borough of Ogdensburg in the County of Sussex, New Jersey, has caused its ordinances of a general and permanent nature to be amended and supplemented and to be compiled and revised and embodied in a Code and Codification known as "The Code of the Borough of Ogdensburg, 2018"; and

WHEREAS, the Land Use Board at their meeting held on November 27, 2018, adopted their Master Plan Reexamination report which provided a recommendation to the Mayor and Council for the re-adoption of the Land Use Ordinances as Chapter 30 Land Development; and

WHEREAS, "Chapter 30 Land Development", a copy of which is attached hereto is incorporated herein by reference in its entirety as if fully set forth below; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ogdensburg, in the County of Sussex and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

The Land Use Ordinances of the Borough of Ogdensburg in the County of Sussex, New Jersey, of a general and permanent nature, are hereby adopted and codified as Chapter 30 Land Development in "The Code of the Borough of Ogdensburg".

Section 2.

All of the provisions of "Chapter 30 Land Development" of the Code of the Borough of Ogdensburg shall be in force and in effect on and after the effective date of this ordinance.

Section 3.

All ordinances or parts of ordinances of a general and permanent nature adopted and in full force on June 25, 2018, which are inconsistent with "Chapter 30 Land Development" of the Code of Borough of Ogdensburg, 2018 are hereby repealed to the extent of such inconsistency as of the effective date of this ordinance.

Section 4.

The repeal provided for in Section 3 of this ordinance shall not affect:

- a. Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance;

- b. Any prosecution, action, suit or other proceeding pending or any judgment rendered on or prior to the effective date of this ordinance;
- c. Any right or franchise conferred by the Council;
- d. Any right, right-of-way or easement acquired or established in and street, road, highway or other public place within the Borough;
- e. Any ordinance of the Borough providing for laying out, opening, altering, widening, relocating, straightening, accepting or vacating of any street, road or highway within the Borough;
- f. Any ordinance or resolution of the Borough promising or guaranteeing the payment of money by or for the Borough or authorizing the issuing of bonds or other evidence of the Borough's indebtedness, or any contract or obligation assumed by the Borough.
- g. The annual budget appropriation ordinances or resolutions, and all ordinances and resolutions appropriating or transferring funds;
- h. The administrative ordinances or resolutions of the Council not in conflict or inconsistent with the provisions of this Code;
- i. Any ordinance or resolution of the Council fixing compensation or salaries of the Borough officials and employees or the pay and compensation of positions and clerical employments which are not provided for in this Code and which are not in conflict or inconsistent therewith;
- j. Any ordinance or resolution of the Council creating employments, positions or offices and fixing duties therefore which are not provided for in this Code and which are not in conflict or inconsistent therewith;
- k. Concerning the Traffic Chapter, any other provision of this ordinance to the contrary notwithstanding, the repeal provided for in Section 3 of this ordinance shall not become effective with respect to any ordinance regulating traffic or parking on the public streets or highways of the Borough;
- l. Any ordinances adopted by the Board of Health of the Borough of Ogdensburg;
- m. Any ordinances of the Borough Council adopted upon final passage after the 25th day of June, 2018.

Section 5

The effects of the proposed changes contained in the Code are listed below and the code includes the following chapters:

CHAPTER 30 LAND DEVELOPMENT

Section 6.

A copy of "Chapter 30 Land Development" in the County of Sussex and State of New Jersey, has been filed in the office of the Municipal Clerk of the Borough of Ogdensburg and shall remain there for the use and examination by the public until final action is taken on this ordinance; and if this ordinance shall be adopted, such copy shall be certified by the Clerk of the Borough of Ogdensburg by impressing thereon the seal of the Borough of Ogdensburg, as

provided by law, and such certified copy shall remain on file in the office of the Municipal Clerk of the Borough of Ogdensburg to be made available to persons desiring to examine the same during all times while the Code is in effect.

Section 7.

Amendments to "Chapter 30 Land Development" the Code. Any and all additions, amendments and supplements to "Chapter 30 Land Development" when passed and adopted in such form as to indicate the intent of the Borough Council to make them a part thereof shall be deemed to be incorporated into such Code so that reference to "The Code of the Borough of Ogdensburg, 2018" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments and supplements to "Chapter 30 Land Development" shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the book containing the Code as amended and supplemented thereto.

Section 8.

It shall be the duty of the Municipal Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing "The Code of the Borough of Ogdensburg, 2019" required to be filed in his or her office for the use of the public. All changes in the Code and all ordinances adopted subsequent to the effective date of this codification shall be adopted specifically as part of the Code and shall when finally adopted be included therein by reference until such changes or new ordinances are printed as supplements to the Code, at which time such supplements shall be inserted therein.

Section 9.

The Municipal Clerk of the Borough of Ogdensburg, pursuant to law, shall cause to be published in the manner required a copy of this adopting ordinance in a newspaper of general circulation in the Borough of Ogdensburg. Sufficient copies of "Chapter 30 Land Development" shall be maintained in the office of the Municipal Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this adopting ordinance coupled with availability of copies of "Chapter 30 Land Development" for inspection by the public shall be deemed, held and considered to be due and legal publication of all provisions of "Chapter 30 Land Development" for all purposes.

Section 10.

The Council may arrange by resolution the procedures for the periodic supplementation of "The Code of the Borough of Ogdensburg, 2018."

Section 11.

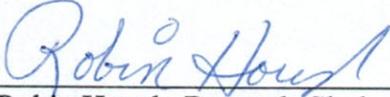
Each section of "Chapter 30 Land Development" and every part of each section is an independent section or part of a section and the holding of any section or part thereof deemed to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

Section 12.

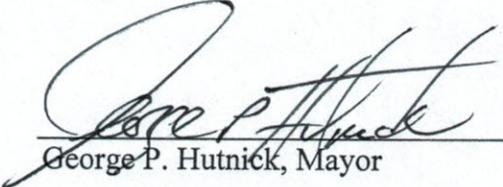
When effective.

This ordinance shall take effect immediately upon final passage and publication in accordance with law.

Attest:



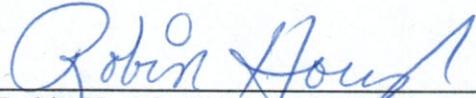
Robin Hough, Borough Clerk



George P. Hutnick, Mayor

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Borough Council of the Borough of Ogdensburg on February 11, 2019, and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Ogdensburg to be held on March 11, 2019 at 7:00PM in the Municipal Building, 14 Highland Ave., Ogdensburg, New Jersey, and shall take effect according to law.

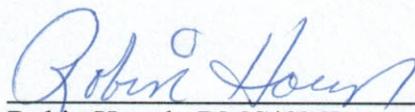


Robin Hough, Borough Clerk

**BOROUGH OF OGDENSBURG
LEGAL NOTICE
ORDINANCE 04-2019**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY ADOPTING AND
CODIFYING CHAPTER 30 LAND DEVELOPMENT**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Ogdensburg, in the County of Sussex, State of New Jersey, held in the Municipal Building on the 11th day of February, 2019, and the same came up for final passage at a meeting of the said Borough Council on the 11th day of March, 2019, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the borough according to law by order to the Borough Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey.



Robin Hough, RMC/CMR