

BOROUGH OF RIVERDALE

ORDINANCE NO. 23 - 2006

ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE PERTAINING TO PENALTIES AND ENFORCEMENT OF THE ZONING ORDINANCE OF THE BOROUGH OF RIVERDALE

BE IT ORDAINED by the Mayor and Council of the Borough of Riverdale, in the County of Morris and State of New Jersey, as follows:

Section 1. Chapter 168, Section 168-47 entitled "Enforcement; violations and penalties," shall be amended by the following amendment to Subsection A. which shall read in its entirety as follows:

- A. The provisions of this chapter shall be enforced by the Zoning Officer of the Borough of Riverdale, and, additionally, the governing body and its officers and employees may utilize any remedy provided by law to prevent or terminate the violation of any of the terms of this chapter. Any person, firm, or corporation violating any provision of this chapter shall be subject to such penalties as are provided for in Chapter 162 of the Revised General Ordinances of the Borough of Riverdale.

Section 2. Chapter 168, Section 168-47 entitled "Enforcement; violations and penalties," shall be amended by the inclusion of new subsection C. which shall read in its entirety as follows:

- C. Approval binding. An approval of any site plan, subdivision, or variance by the appropriate approving authority under the provisions of this code and any conditions thereof shall be binding upon the developer/applicant and upon any subsequent heirs and /or assigns. Said approval shall not be amended or altered in any manner without prior approval from the appropriate approving authority. Failure to adhere to an approved subdivision plan, site plan, variance approval or condition of approval shall be deemed a violation of this chapter and shall be enforced by the Zoning Officer.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or

provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Adopted this ____ day of _____, 2006.

Carol Talerico, Borough Clerk

William Budesheim, Mayor

CLERK'S CERTIFICATION

NOTICE is hereby given that the above Ordinance was introduced and passed first reading by title at a regular meeting of the Mayor and Council of the Borough of Riverdale, held on October 2, 2006, and it will be considered for final passage at a regular meeting of said Mayor and Council to be held on October 16, 2006, at 7:30 p.m. or as soon thereafter same can be considered, in the Municipal Building, 91 Newark Pompton Turnpike, Riverdale, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request same, in the Borough Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m.

Carol J. Talerico, Municipal Clerk