

**BOROUGH OF NORTH CALDWELL
COUNTY OF ESSEX
STATE OF NEW JERSEY**

ORDINANCE NO. O-14-16

**AN ORDINANCE ADOPTING A CODE OF ORDINANCES
OF THE BOROUGH OF NORTH CALDWELL
IN THE COUNTY OF ESSEX, NEW JERSEY**

WHEREAS, the Mayor and Council of the Borough of North Caldwell in the County of Essex, New Jersey, have caused its ordinances of a general and permanent nature to be amended and supplemented and to be compiled and revised and embodied in a codification known as the "North Caldwell Borough Code, 2016."

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTH CALDWELL IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Section 1. The ordinances of the Borough of North Caldwell in the County of Essex New Jersey, of a general and permanent nature, as codified, Chapters 1 through A161, are hereby ordained as "The Code of the Borough of North Caldwell, 2016."

Section 2. All of the provisions of "The Code of the Borough of North Caldwell, 2016" shall be in full force and 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 force on October 13, 2016, which are inconsistent with the ordinances in "The Code of the Borough of North Caldwell, 2016" are hereby repealed to the extent of such inconsistency as of the effective date of this ordinance.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 Mayor and Council;
- d. Any right, right-of-way, or easement acquired or established in any street, road, highway or other public place within the Borough;
- e. Any ordinance of the Borough providing for the 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 Mayor and Council not in conflict or inconsistent with the provisions of this Code;
- i. Any ordinance or resolution of the Mayor and Council fixing compensation or salaries of the Borough officials and employees or the pay and compensation of positions and clerical employees which are not provided for in this Code and which are not in conflict or inconsistent therewith;
- j. Any ordinance or resolution of the Mayor and Council creating employment, positions or offices and fixing duties therefor 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 North Caldwell;
- n. Any ordinances of the Mayor and Council adopted upon final passage after the 13th day of October, 2016.

Section 5. The ordinances of the Borough have been revised, edited, amended, and supplemented to establish Chapters 1 through A161 of the “North Caldwell Borough Code, 2016.” The effects of the proposed changes and the chapters are listed below.

Throughout the Code:

Statutory and Administrative Code references are revised to replace obsolete, repealed, or amended references where appropriate.

Titles of officials and employees are revised to reflect the administrative organization of the Borough.

The violation and penalty provisions are revised to reflect the statutory penalties permitted by N.J.S.A. 40:49-5 for the violation of a local ordinance with a maximum penalty of two thousand dollars (\$2,000.00).

CHAPTER 1 GENERAL PROVISION

Chapter 1 contains provisions applicable to the entire Code including short title, definitions, construction, and divisions of the Code, the general penalty applicable to Borough ordinances, amendments, and maintenance of the Code, the penalty for tampering with the Code and severability of the Code provisions.

The general penalty is a maximum of two thousand dollars (\$2,000.00) for Borough ordinances. For violations of a housing or zoning code, the penalty is a maximum of two thousand dollars (\$2,000.00) with a 30-day abatement period. (N.J.S.A. 40:49-5)

CHAPTER 2 MAYOR AND BOROUGH COUNCIL

This chapter contains the statutory provisions of the Mayor and Borough Council and includes elected offices, organizations, meetings, organization of the Borough Council, and powers of the Mayor and Council.

CHAPTER 3 ADMINISTRATION OF GOVERNMENT

Chapter 3, Administration of Government, contains the continued administrative ordinances of the Borough under the Borough form of government.

3-9, Borough Clerk and Deputy Borough Clerk, is revised to reflect the statutory tenure provisions for the Borough Clerk.

3-19, Compensation (Borough Attorney), is revised to provide for compensation through an agreement with the Borough.

3-30, Tax Collector, is revised to reflect statutory provisions for the term of office and certification requirements.

3-37 – 3-39, Water Utility Superintendent, are revised to update the office title.

3-42, Municipal Court Administrator and Deputy Court Administrator, are revised to update the office titles.

3-60, Chief Financial Officer, is revised at the term of office pursuant to N.J.S.A. 40A:9-140.10.

3-94, Emergency Management Coordinator; Deputy Emergency Management Coordinator, are new pursuant to N.J.S.A. App. A:9-40.1 et seq.

CHAPTER 6 CLAIMS APPROVAL

6-1 – 6-5, Claims Approval, are revised from Treasurer to Chief Financial Officer.

CHAPTER 10 HOLIDAYS FOR MUNICIPAL EMPLOYEES

10-1, List of Public Holidays Established, is new

CHAPTER 13 PERSONNEL POLICIES

13-1, Creation of Personnel Policies, is revised to adopt and amend policies by ordinance of the Governing Body.

13-2, Indemnification of Municipal Employees, is revised to include the Borough Attorney.

CHAPTER 17 SALARIES AND COMPENSATION

CHAPTER 21 AIR CONDITIONING EQUIPMENT

CHAPTER 22 ALARM DEVICES

22-6, False Alarms, is revised at the penalties for false fire alarms.

CHAPTER 23 ALCOHOLIC BEVERAGES

23-11, Suspension or Revocation of License, is new pursuant to N.J.S.A. 33:1-31.

CHAPTER 24 GENERATORS

CHAPTER 32 CLOTHING DONATION BINS

CHAPTER 33 CANVASSING AND SOLICITING

33-9, Permitted Hours, is revised for religious, charitable, political, and nonprofit organizations from between the hours of 9:00 a.m. and 9:00 p.m. to between the hours of 9:00 a.m. to 7:00 p.m.

CHAPTER 34 CONSTRUCTION CODES, UNIFORM

34-3, Fees (Uniform Construction Code – permit fees), are revised by the Construction Official.

CHAPTER 35 CRIMINAL HISTORY BACKGROUND CHECKS

CHAPTER 36 DEER MANAGEMENT

CHAPTER 37 DEER CONTROL

CHAPTER 38 DOGS, CATS AND ANIMALS

38-14, Running at Large; Wearing of Proper Tag Required, is revised to include an owner's responsibility for a dog's or cat's behavior including bites, scratches or other harmful acts.

38-17, Potentially Dangerous and Vicious Dogs, is new and contains the statutory findings and provisions if a dog is deemed potentially dangerous or vicious. The fee for a potentially dangerous dog license is established at two hundred fifty dollars (\$250).

38-18, Vicious Cats, is revised to provide for investigation and enforcement by the Animal Control Officer.

38-19, Seizure and Impoundment; Notice to Owner; Redemption or Disposal, is revised to comply with N.J.S.A. 4:19-5.16 regarding findings for impoundment, impoundment and redemption procedures, and final disposition of certain animals. Fees for impoundment are revised to reflect the Borough's Shared Services Agreement.

38-37, Wildlife Feeding, is new and prohibits the feeding of certain unconfined wildlife on public or private property.

CHAPTER 39 DRUG-FREE ZONES

CHAPTER 43 FIREARMS

CHAPTER 44 FIRE PREVENTION

CHAPTER 45 FEES

CHAPTER 46 FILMING

46-3, Issuance of Permits, is revised to add that payments to off-duty Police Officers shall be made in conformance with the Collective Bargaining Agreement currently in effect with the Borough.

CHAPTER 50 GARBAGE AND RUBBISH

50-2, Definitions, is revised to limit the maximum weight of plastic garbage and debris bags to sixty (60) pounds.

50-5, Regulations for Licensees, is revised to require five years previous experience in side yard garbage pick-up for licensees (previously rear yard experience).

50-6, Payment for Collection of Garbage and Debris, is revised to restate a sixty (60) pound maximum weight for plastic bags containing debris and garbage.

CHAPTER 51 HAZARDOUS MATERIALS SPILLS, LEAKS AND FIRES

CHAPTER 52 GASOLINE STATIONS

CHAPTER 53 ON-SITE STORMWATER DETENTION, STORMWATER CONTROLS

53-3, Permits Required; New Building Construction, Additions to Existing Buildings, Tennis Courts and In-ground Swimming Pools; and 53-5, Standards; Minimization of Stormwater Runoff and Retention of Stormwater on Site, are revised to include sport courts among those required to obtain a permit under this chapter.

53-12, Improper Disposal of Waste into Municipal Storm Sewers, is revised to allow enforcement by the Borough Engineer as well as the Police Department.

53-15, Illicit Connection to Storm Sewer System, is revised to provide for enforcement by the Borough Engineer as well as the Police Department.

53-17, Fertilizer Regulations, requires compliance with N.J.S.A. 58:10A-61 et seq., regarding the use and application of certain fertilizers.

53-18, Covering of Dumpsters and Refuse Containers, is revised to provide for enforcement by the Borough Engineer as well as the Police Department.

CHAPTER 54 GRADING, DRAINAGE AND EROSION CONTROL

Article III, Permits Required, is new and contains 54-3 through 54-9 regarding changes to property grades, permits, applications, standards, and appeals; and 54-16, Certification of Completion of Change to Grade.

CHAPTER 58 LITTERING; STORAGE OF HOUSEHOLD SOLID WASTE AND VEHICLES

58-3, Illegal Dumping, is revised in the prohibition against discarding or dumping to include trees, tree stumps, branches, and yard debris.

58-9, Uncovered Vehicles, is revised to include branches, grass clippings, and landscaping debris in the prohibition against materials dropping or leaking from an uncovered vehicle.

58-14, Enforcement, is new and provides for enforcement of the chapter by the Police Department, Borough Engineer and the Borough Administrator.

CHAPTER 60 MARRIAGE AND CIVIL UNION CEREMONIES

CHAPTER 62 MUSICAL OR PUBLIC ENTERTAINMENT

CHAPTER 64 NOISE

Chapter 64 is new and adopts the provisions of the NJ Department of Environmental Protection's Noise Control model ordinance. The model contains the standards of the State's Noise Control Act and established specific decibel standards to control noise. The Borough adopts the State's model without change. Included in the new provisions are 64-1 through 64-12 and include: Definitions, Applicability, Exemptions, Enforcement, Measurement Protocols, Maximum Permissible Sound Levels, Sound Production Devices, Restricted Uses and Activities, Motor Vehicles, Enforcement, and the Consistence, Severability and Repealer clause.

CHAPTER 66 NUMBERING OF BUILDINGS AND LOTS

CHAPTER 70 PARADES AND PROCESSIONS

70-6, Appeal from Denial of Permit, is revised to allow appeal of a denial of an application to the Mayor and Council.

CHAPTER 71 PARKS AND PUBLIC LANDS

71-15, Camping Without Permit Prohibited, is revised to require a permit from the Recreation Committee of the Borough Council for camping or camping activities in a park or on public land.

71-17, Enforcement, is new and contains enforcement of the chapter by the Police Department, Borough Administrator and the Borough Engineer.

CHAPTER 73 PEACE AND GOOD ORDER

73-2, Swimming or Sunning in the Nude, is revised to prohibit sunning or swimming in public or on public streets, parks, and places in a state of nudity.

73-3, Selling of Obscene Materials at a Heights of Less than Five Feet or Without Blinder or Cover, is new and restricts the display of certain materials to a height of no less than five feet and requires a blinder or other covering on the material displayed.

73-7, Posting of Notices; Drawings or Markings o Buildings and Structures, is revised to include the prohibition of marking or drawing on any street or on any public or private property without permission from the owner.

73-8, Pollution of Waters, is revised to include litter and garbage in the prohibition against polluting waters.

73-14, Soliciting Donations, is revised to include the soliciting or gathering of donations.

73-15, Removing or Defacing Legal Notices, is revised to include the prohibition against removing notices posted by Borough, State or Federal officials.

73-16, Display of Merchandise,; Garage Sale, is revised from a five (\$5.00) dollar permit fee to a ten (\$10.00) dollar permit fee.

73-17, Sump Pump Discharge onto Public Streets, is revised to include compliance with State construction, environmental and health regulations and requires inspection and approval by the Construction Official.

73-19, Enforcement, is new and establishes enforcement of the chapter by the Police Department.

CHAPTER 76 POOL AND BILLIARD HALLS

CHAPTER 77 PROPERTY MAINTENANCE

77-14, Fees, The fee for inspections after an initial inspection following a notice of violation is revised from twenty-five dollars (\$25.00) to fifty dollars (\$50.00) for each and every inspection.

77-16, Portable Storage Containers, is revised at the penalty provisions. Failure to remove a portable storage container at the end of the lawful duration shall result in a fine up to five hundred (\$500.00) dollars per day that the container is not removed. The fine shall be assessed against the property on which the container is located and may be filed as a lien against the property.

77-19, Unfit Buildings; Police Power Authorized, is new and provides the Borough with the authority to repair, close or demolish, or cause the repair of, closing, or demolition of dangerous, unsafe and unsanitary buildings as provided for in N.J.S.A. 40:48-2.3 et seq.

CHAPTER 78 RECYCLING

CHAPTER 80 SEWERS

80-3, Definitions, is revised to include Collection System Operator and revises the definition of House Service Connection to Sewer Lateral.

80-15, Connection Prohibited Without Permit, is revised to require the payment of fees prior to connection to the sewer system.

80-20, Annual Sewer Fees; Penalties for Nonpayment, is revised to require approval of applications by the appropriate treatment authority.

80-23, House Service Connection Materials Specifications, is revised to include the Borough's material specifications for pipe materials and connections.

80-31, Maintenance of Laterals and Connections, is revised to state that sewer laterals shall be maintained by the property owner.

CHAPTER 84 RESERVED

Snowmobiles, previously codified at Chapter 84, is relocated in Chapter 102, Off-Road Vehicles.

CHAPTER 86 SOIL REMOVAL AND IMPORTATION

86-3, Application for Permit; Fee; Appeal, is revised at the requirements for topographical map specifications and the permit fee is revised from twenty dollars to one hundred dollars.

86-7, Charges for Soil Removal, is revised at the permit fee from three cents to ten cents per cubic yard of soil removed.

CHAPTER 88 STREETS AND SIDEWALKS

88-2, Deposit of Building Materials Without Permission Prohibited, is revised to require a permit for placement of items on public property from the Chief of Police. Mulch is added to the items for which placement on public property requires a permit.

88-17, Variances Authorized in Hardship Cases, is revised to include a recommendation by the Borough Engineer for variances from corner lot sight regulations to the Borough Council.

Article V, Street Excavations, is revised to include right-of-ways as areas that require permits for excavations and fall under the provisions of this Article.

88-27, Fee Schedule, is revised at the fees charged for road openings to \$100 per square yard for the first 10 square yards; \$75 per square yard for the second 10 square yards; and \$150 per square yard over 20 square yards. Sidewalk areas are revised to \$100 per square yard and \$25 per square yard.

88-30, Borough to Restore Pavement; Licensee Responsible Until Backfilling Approved, is revised to require approval from the Borough Engineer prior to permanent restoration of openings.

Article VI, Opening and Acceptance of Streets, is revised to include the Residential Site Improvement Standards in the requirements for the construction of, opening of and acceptance of streets by the Borough. Specific requirements for gate valves and fire hydrants have been included.

88-44, Street Signs, Erection and Assessment of Cost; and 88-45, Shade Trees Required; Assessment of Cost, are revised to require the developer to provide for street signs and shade trees.

88-47, Maintenance Bond Required, is revised to require a bond for two years after the date of acceptance of the completed project.

88-51, Entrance Driveways, is revised from a \$5 to a \$30 dollar permit fee for driveway excavations within (across) a public street, avenue or highway.

CHAPTER 92 TAXATION

CHAPTER 95 TRAILERS, BOATS, COMMERCIAL VEHICLES AND CONSTRUCTION DUMPSTERS

Commercial vehicles have been added to the parking, storage, and permit regulations throughout the chapter.

99-2 (E), Parking and Storage – Permit Required, is revised at the fee for a permit from five dollars to twenty dollars.

99-5, Emergency Parking or Stopping, is revised to authorize the Police Department to permit certain parking as the department authorizes.

CHAPTER 96 TREES: REMOVAL AND DESTRUCTION

CHAPTER 98 VEHICLES: ABANDONED

98-4, Time Limit; Cost of Removal, is revised to comply with the provisions of N.J.S.A. 39:4-56.6 for vehicles left parked on roads, public property or private property for more than 48 hours.

CHAPTER 99 VEHICLES AND TRAFFIC

99-20, Authorization for the Closing of Any Streets, is new and provides that the Borough may close a street or portion of a street for an emergency under N.J.S.A. 40:67-16.9. The Borough may also close a street or portion of a street during certain hours and for a certain period of time during school openings and closings by ordinance pursuant to N.J.S.A. 40:67-16.7.

99-21, Traffic Controls for Street and Highway Construction and Maintenance Operations, is new and provides for the adoption of the Manual on Uniform Traffic Control Devices for Streets and Highways, preconstruction meetings, hours of construction, traffic directors, site preparation, and violations and penalties.

99-22, Tow-Away, is new and provides for the authority to remove a vehicle when such vehicle is deemed a nuisance or impedes safe regulation of traffic.

CHAPTER 102 VEHICLES, OFF-ROAD

This chapter is amended to include snowmobiles, all-terrain vehicles, and dirt bikes and provides for operation of vehicles covered in this chapter in compliance with N.J.S.A. 39:3C-1 et seq.

CHAPTER 104 WATER

Offices in this chapter are revised for consistency with the Borough's positions: Water Operator is revised to the Water Utility Administrator and/or the Water Utility Superintendent; the Water Treasurer is revised to the Water Utility Account Clerk.

104-26, Violations and Penalties (Water Emergencies) are revised. For fines for first offenses, the maximum is established at \$500.00 and for a second or subsequent offenses, the maximum fines are \$1,000.00.

CHAPTER 107 ZONING AND LAND USE

Terms throughout the chapter have been revised from Borough Council to Governing Body, and from Municipal Authority to Governing Body, and Building Inspector to Construction Official or from the Building Inspector to Zoning Officer, as appropriate.

107-6, Certificate of Occupancy; Records to be Kept on File; Zoning Officer; Zoning Permits, is revised at paragraphs F(6) and F(7) with a ten (10) day period within which the Zoning Officer must act on a Zoning Permit pursuant to N.J.S.A. 40:55D-18. The Zoning Permit fee is revised from \$25.00 to \$35 in paragraph F(9).

107-24, Residential Cluster Districts, is amended at paragraph B(4)(c) to add the phrase "unless circumstances warrant a longer time period" for the extension of time within which a deficiency must be cured when a developer fails to maintain common open space. The phrase "and accepted by the Borough" is added for access to common open space by the public after same is dedicated by the residents and owners to the public.

107-30, Development Controls Within Flood-Prone Areas and Excessive Slope Areas, is revised at the dates in paragraph A(6) to refer to the latest Flood Insurance Study and the latest Flood Insurance Rate Maps as dated May 30, 2014.

107-34, Application Procedures, is revised to submit applications for development to the Secretary of the Board.

107-35, Minor Subdivision, is revised to refer to the Planning Board when referring to procedures for minor subdivision approved plats.

107-63, Appeals and Applications, is revised to refer to the Secretary of the Zoning Board of Adjustment regarding application procedures to the Zoning Board of Adjustment.

107-82, Violations and Penalties, is revised to a penalty of up to \$2,000.00 with a 30-day abatement period as provided for in Chapter 1, Article II, Section 1-5 et seq.

CHAPTER 111 BOARD OF HEALTH ORGANIZATION

CHAPTER 116 FOOD ESTABLISHMENTS AND BEVERAGE VENDING MACHINES

116-5, License Fees-Food Establishments, and 116-6, Permit and License Fees-Vending Machines, is revised and are relocated in Chapter 116 from Chapters 47 and 48.

CHAPTER 121 HOUSING

121-5, Hearings; Results of Hearings; Appeals; Emergency Orders, is revised from 10 to 15 days for the time period within which a hearing will commence after a petition for a hearing is filed.

121-6, Promulgation of Rules and Regulations Authorized, is amended from the Health Officer to the Board of Health as the authority empowered to make and adopt rules and regulations.

CHAPTER 125 MILK

This chapter is revised to comply with the statutory provisions of N.J.S.A. 24:10-57.10.

CHAPTER 128 NUISANCES

128-4, Violations and Penalties is revised to state of minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the Public Health Nuisance Code.

128-5 – 128-10, are new and contain the adoption of the International Property Maintenance Code, 2012, with provisions for adoption of the International Property Maintenance Code, 2012, maintenance of copies in the Borough offices, compliance, and violations and penalties. The penalties for violations are minimum penalty of \$100.00 and a maximum penalty of \$1,000.00.

CHAPTER 137 SANITATION STANDARDS.

CHAPTER 140 SEWAGE DISPOSAL SYSTEMS, INDIVIDUAL

140-3, Permit Required (Individual Sewage Disposal System), is revised as the Health Officer or the Health Officer's designee shall issue permits for the installation, construction, alteration or repair of subsurface sewage disposal systems.

140-10, Denial of Permit or Certification; Hearing, is new and provides procedures for a hearing by the Board of Health in cases of denial of a permit or certification.

140-12, Fees (Individual sewage disposal systems), are revised as follows: Application for certification for construction, \$250; Application for a permit to alter, \$100; Reinspections, \$100; Permit to clean or empty, \$50.

CHAPTER 144 SOLID WASTE

144-4, Violations and Penalties, is revised to state of minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER 147 SWIMMING POOLS, PUBLIC RECREATIONAL BATHING

This chapter is revised to include the term "public recreational bathing places" as consistent with N.J.A.C. 8:26-1.1 et seq.

147-8, Violations and Penalties, is revised to state of minimum penalty of \$50.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER 151 WATER, SAFE DRINKING WATER ACT RULES

This chapter is amended to provide for and include the Safe Drinking Water Act (N.J.A.C. 7:10).

151-4, Construction Permit and Engineering Certificate, is revised as the Borough Engineer issues permits to construct, alter or replace water supply systems under this chapter.

151-5, Operational Certificate, is revised to provide that the Borough Engineer issues certificates for new water supplies.

151-6, Hearing Following Refusal of Permit; Results of Hearing, is revised to provide for a hearing by the Governing Body when a permit or certificate is denied.

151-7, Stop-Work Orders; Continuation of Work Restricted, is revised to provide the Borough Engineer with the authority to stop work authorized under this chapter.

151-8, Permit Fees and Other Charges, is revised as follows: Application for a permit to construct new or replace existing, \$150; Application to alter existing, \$100; Permit to locate, construct or replace, \$100; Reinspections, \$50.

151-9, Violations and Penalties, is revised to state of minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER 154 WEED CONTROL

154-4, Violations and Penalties, is revised to state of minimum penalty of \$100.00 and a maximum penalty of \$1,000.00 for violations of the chapter.

CHAPTER A161 CAMP WYANOKIE COMMISSION

Section 6. A copy of the "North Caldwell Borough Code, 2016," in the County of Essex and State of New Jersey, has been filed in the office of the Municipal Clerk of the Borough of North Caldwell 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 North Caldwell by impressing thereon the seal of the Borough of North Caldwell, as provided by law, and such certified copy shall remain on file in the office of the Municipal Clerk of the Borough of North Caldwell to be made available to persons desiring to examine the same during all times while the Code is in effect.

Section 7. Amendments to the Code. Any and all additions, amendments and supplements to the Code when passed and adopted in such form as to indicate the intent of the Mayor and Borough Council to make them a part thereof shall be deemed to be incorporated into such Code so that reference to the "North Caldwell Borough Code, 2016" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments and supplements to the Code 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 "North Caldwell Borough Code, 2016," 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 North Caldwell, 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 North Caldwell. Sufficient copies of the "North Caldwell Borough Code, 2016" 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 the availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

Section 10. Each section of the "North Caldwell Borough Code, 2016" 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.

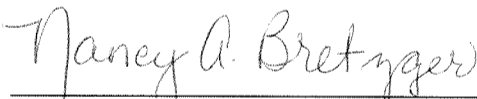
Section 11. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 12. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

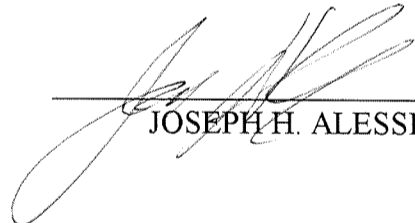
INTRODUCED: November 22, 2016
ADOPTED: December 20, 2016

ATTEST:

APPROVED:



NANCY A. BRETZGER, BOROUGH CLERK



JOSEPH H. ALESSI, MAYOR