

# Borough of Tenafly

ORDINANCE NO. 24-10

AN ORDINANCE OF THE BOROUGH OF TENAFLY, COUNTY OF BERGEN, STATE OF NEW JERSEY, ESTABLISHING IN CHAPTER 35 LAND DEVELOPMENT REGULATIONS, NEW SECTION 35-804.4 "LOCATION AND IMPROVEMENT OF REQUIRED PARKING AND LOADING FACILITIES" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, 2004

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Tenafly, County of Bergen, State of New Jersey, that:

**SECTION I.** Chapter 35 Land Development Regulations, of the Revised General Ordinances of the Borough of Tenafly, 2004, Section 35-804.4, "Location and Improvement of required Parking and Loading Facilities" is hereby supplemented by inserting the text underlined and marked in bold to read as follows:

## **§ 35-804.4. Location and Improvement of Required Parking and Loading Facilities.**

### a. Parking

**6. Existing homes with garages constructed below grade which have been in existence prior to June 1, 2024 may eliminate the below grade garage without requiring relief from the zoning code and shall be subject to building and grading permits provided all of the following provisions are met:**

- i. The property owner shall provide proof of a loss due to flooding resulting from the existing driveway. Proof shall be in the form of an insurance claim, within the past five years from the date of application for removal.**
- ii. The existing garage door shall be closed using either cast in place concrete block, poured concrete, or other like materials commonly used in foundation construction, capable of withstanding the soil load of the backfill.**
- iii. The existing driveway and retaining walls shall be removed in their entirety and disposed of in accordance with applicable regulations.**
- iv. Backfill utilized shall be well drained readily compactable material free of contaminants, deleterious material and organic matter.**
- v. Any foundation drainage shall be extended across the existing driveway which was removed.**
- vi. The backfilled area shall be paved in accordance with applicable code requirements and utilized for off-street parking.**
- vii. The backfilled area shall direct all surface runoff toward the municipal right of way and not toward adjacent properties.**
- viii. Any drainage problems resulting from the driveway removal shall be corrected at the sole expense of the homeowner to the approval of the Borough.**

**SECTION 2.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part hereof, and to this end, the provisions of this Ordinance are hereby declared severable.

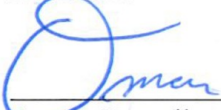
**SECTION 3.** All other ordinances, codes or parts thereof that are in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Borough ordinances, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Borough's ordinances are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

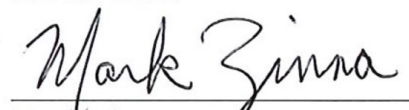
INTRODUCED: May 7, 2024

ADOPTED: June 11, 2024

ATTEST:

  
Omar Stovall,  
Borough Clerk

APPROVED:

  
Mark Zinna, Mayor