

**LEGAL NOTICE
ORDINANCE NO. 12
2024
TOWNSHIP OF WAYNE
COUNTY OF PASSAIC
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 134 (LAND DEVELOPMENT),
ARTICLE VI (ENVIRONMENTAL PROTECTION) OF THE CODE OF
THE TOWNSHIP OF WAYNE**

WHEREAS, Wayne Township is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Wayne Township is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Wayne in the County of Passaic, State of New Jersey, as follows:

SECTION 1. Chapter 134 (Land Development), Article VI (Environmental Protection), Section 134-91.3 of the Code of the Township of Wayne is hereby amended and supplemented to read as follows [additions by **bold**, deletions by ~~strikethrough~~]:

Section 134-91.3.B(7) **Disturbance of no more than 500 square feet of land with a slope of thirty (30) percent or greater shall be allowed.**

SECTION 2. Chapter 134 (Land Development), Article VI (Environmental Protection), Section 134-96.4.D of the Code of the Township of Wayne is hereby amended and supplemented to read as follows [additions by **bold**, deletions by ~~strikethrough~~]:

Section 134-96.4.D. Maximum allowable site disturbance. No grading plan shall be approved if the total area of lot disturbance or the total adjusted disturbance area for individual lots within the subdivision or site plan exceeds the Maximum Allowable Disturbance standards provided in Table VI-1.

Table VI-1		
Maximum Allowable Disturbance Standards		
Lot Area (In square feet)	Single Family	Multiple Family, Townhouse, Condominium & Nonresidential
< 21,780	85% of lot	85% of lot
21,781 - 43,560	18,500 sq. ft. plus 45% of area >21,780	18,500 sq. ft. plus 75% of area >21,780
43,561 - 87,120	28,300 sq. ft. plus 25% of area >43,561	34,850 500 sq. ft. plus 70% of area >43,561
87,121 - 130,680	39,200 sq. ft. plus 11% of area >87,121	65,340 sq. ft. plus 60% of area >87,121
130,691 681 - 217,800	44,000 sq. ft. plus 7% of area >130,691	91,483 sq. ft. plus 57% of area >130,691
217,801 or larger	50,100 sq. ft. plus 4% of area >217,801	141,570 sq. ft. plus 55% of area >217,801

Section 134-96.4.G(2). **Disturbance of no more than 500 square feet** ~~no disturbance~~ of land with a slope of thirty (30) percent or greater shall be allowed.

SECTION 3: All other provisions of Chapter 134, Sections 91 and 96 of the Code of the Township of Wayne shall remain unchanged.

SECTION 4. Pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64, after introduction of this Ordinance, it shall be referred to the Township of Wayne Planning Board who shall within 45 days review and comment on the proposed revisions contained herein prior to the hearing on adoption of this Ordinance.

SECTION 5: Severability. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6: Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 7: Codification. This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 8. This ordinance shall take effect twenty (20) days after final passage by Council and approval by the Mayor in the manner prescribed by law at N.J.S.A. 40:69A-181.

ATTEST:

PAUL V. MARGIOTTA
TOWNSHIP CLERK

JASON DESTEFANO
PRESIDENT OF THE COUNCIL

NOTICE

I hereby certify that the aforementioned ordinance was published in the Herald News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of March 13, 2024 and April 10, 2024.

PAUL V. MARGIOTTA
Township Clerk

This ordinance is hereby
approved this 4th day
of April 2024.

ADOPTED ON: April 3, 2024

CHRISTOPHER P.VERGANO, Mayor