

ORDINANCE NO. 1983

ADOPTING ORDINANCE

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE TOWN OF BELLEVILLE IN THE COUNTY OF ESSEX NEW JERSEY

WHEREAS, the Mayor and Board of Commissioners of the Town of Belleville, in the County of Essex, New Jersey has caused its ordinances of a general and permanent nature to be compiled and revised and embodied in a revision and codification known as “General Ordinances of the Town of Belleville, New Jersey.”

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF BELLEVILLE IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Section 1. The ordinances of the Town of Belleville, in the County of Essex, New Jersey, of a general and permanent nature, as codified, Chapters I to XVII are hereby ordained as general ordinances and are adopted as “General Ordinances of the Town of Belleville, New Jersey.”

Section 2. All the provisions of the “General Ordinances of the Town of Belleville, New Jersey” shall be in force and effect on and after the effective date of this ordinance.

Section 3. All ordinances of a general and permanent nature, adopted by the Mayor and Board of Commissioners (hereafter referred to as the “Board”) and in force on October 28, 1975 and not contained in the “General Ordinances of the Town of Belleville, New Jersey,” are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided in Section 4.

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 of franchise conferred by the Board of Commissioners;
- d. Any right, right-of-way or easement acquired or established in any street, road, highway or other public place within the Town;
- e. Any ordinance of the Town providing for laying out, opening, altering, widening, relocating, straightening, acceptance or vacation of any street, road, or highway within the Town;
- f. Any ordinance or resolution of the Town promising or guaranteeing the payment of money by or for the Town or authorizing the issuing of bonds or other evidence of the Town’s indebtedness, or any contract of or obligation assumed by the Town;
- 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 Town not in conflict or inconsistent with the provisions of these Revised Ordinances;

- i. Any ordinance or resolution of the Board of Commissioners fixing the compensation or salaries of the Town officials and employees or the pay and compensation of positions and clerical employments which are not provided for in these General Ordinances and which are not in conflict or inconsistent therewith;
- j. Any ordinance or resolution of the Board of Commissioners creating employments, positions or offices and fixing duties therefor which are not provided for in these General Ordinances 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 until the traffic and parking chapters of this revision are finally approved by the Commissioner of the New Jersey Department of Transportation, and said chapters shall not take effect until finally approved by the Director as aforesaid.
- l. Any ordinance adopted by the Board of Health of the Town that is not included in this codification;
- m. Any ordinance of the Board of Commissioners adopted upon final passage after the 25th day of October, 1975.
- n. Any and all ordinances dealing with zoning or any amendment thereto.

Section 5. The effect of proposed changes contained in the revision is listed below:

Chapter 1 - General. Chapter I is new. It contains general definitions and rules of construction that are intended to provide uniform construction and interpretation of general terms used throughout the revision, as well as for all other ordinances of the Town of Belleville. This chapter also contains a severability clause and the official title of the revision.

Chapter 2 - Administration. This chapter contains the administrative code of the Town of Belleville. This code has been derived in part from the existing ordinances of the town and in part from the general laws of the State of New Jersey. New material is contained in the following sections: 2-1, Official Title; 2-2, the Board of Commissioners, its organization, powers, meetings and procedures; 2-3, Selection and powers of the mayor; 2-6.1, the term of office of the attorney shall be four years and 2-6.2, the position of legal assistant is created; 2-7 the town physician shall be appointed by the board of health; 2-9.1, the municipal departments are established; 2-9.2, Commissioners assigned to departments; 2-9.3 concerns jurisdiction over departments. Subsections 2-10.5, town treasurer; 2-11.1, public health nurse supervisor; 2-11.3, sanitary inspector; 2-12.3, members of the fire department; 2-12.4, policemen and 2-14.1, superintendent of public works shall meet the requirements as stated by civil service; 2-12.6, the department of consumer protection shall be under the department of revenue and finance; 2-13.1, a member of the board shall be designated as director of parks and public property.

Chapter 3 - Police Regulations. Section 3-24 contains the general penalty clause applicable to the chapter and the entire revision. In subsection 3-24.1 a maximum penalty of five hundred (\$500.00) dollars fine and 90 days imprisonment or both is set forth. Subsection 3-24.2 states that each and every day a violation exists is deemed a separate violation. The amount of any particular penalty is at the discretion of the adjudicating authority. Subsection 3-24.3 does not change the law of the township, but simply eliminates the need to restate the maximum penalty clause each time a new regulatory ordinance is adopted.

Chapter 4 - General Licensing. Township ordinances concerning licenses are included in this

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chapter. Section 4-11.6 is new, requires a permit for the erection of a billboard.

Chapter 5 - Licensing of Dogs. Ordinances on dog control and dog licensing are contained herein.

Chapter 6 - Alcoholic Beverage Control. The existing township ordinances on this subject have been rearranged for purposes of topical sequence. Subsection 6-3.4 has a new sentence which lists the items that may be sold at a retail distribution alcoholic beverage store. Section 4-5 is new. It states the closing provision. Chapter 7 - Taxicabs. This chapter contains all ordinances concerning the licensing of taxicabs, and regulations pertaining thereto.

Chapter 8 - Traffic. This chapter contains the traffic ordinances of the town formulated in accordance with a model of organization that has been recommended by the Division of Motor Vehicles; but no substantive changes from existing traffic ordinances have been made.

Chapter 9 - Parking Meters. Rates and time limits for parking vehicles at meters are included herein.

Chapter 10 - Water and Sewer. This chapter contains the regulations and charges for the water system and sewer system.

Chapter 11 - Streets and Sidewalks. Regulations for street openings and construction standards for curbs, sidewalks, and streets are included in this chapter.

Chapter 12 - Building and Housing. This chapter contains the establishment of the Standard Building Code, unfit dwellings, numbering of lots, regulation of oil burning equipment, service stations, regulation of parking lots, cellar excavations, fallout shelters, setback lines, flood hazard areas, and rent leveling board.

Chapter 13 - Fire Prevention. This chapter contains the Fire Prevention Code and establishes limiting districts, amendments and modifications to the code.

Chapter 14 - Soil Removal. Contained in this chapter are the regulations concerning soil and soil removal.

Chapter 15 - Air Pollution. This chapter is the Air Pollution Control Code of the Town of Belleville in toto.

Chapter 16 - Health. All ordinances relating to health are included in this chapter.

Chapter 17 - Plumbing Code. This chapter contains the adoption of the Plumbing Code of New Jersey by reference.

Throughout the revision there has been re-organization and editing of the source ordinances, not to effect substantive changes but intended to eliminate word duplications and overlapping and to effect uniformity of expression. In some cases provisions of the source ordinances have not been included in the revision either because they have been expressly or impliedly repealed by later ordinances, are obsolete or no longer apply in the Town of Belleville.

Section 6. A copy of the "General Ordinances of the Town of Belleville, New Jersey" has been filed in the office of the Town Clerk, and shall remain there for the use and examination of the public until final action is taken on this ordinance.

Section 7. One copy of the "General Ordinances of the Town of Belleville, New Jersey" shall be and remain on file in the office of the Town Clerk and made available to persons desiring to examine same if this ordinance shall be adopted, and while the same shall be in effect.

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Section 8. This ordinance shall take effect immediately after final passage and publication thereof according to law.

Introduced: May 10, 1977

Adopted: May 23, 1977

Approved: Michael Marotti, Mayor

Attest: Eugene Barnett, Clerk

I HEREBY CERTIFY that the foregoing ordinance is a true copy of an ordinance given its final reading and adopted by the Mayor and Board of Commissioners of the Town of Belleville in the County of Essex, New Jersey, at a regular meeting of that body held in the Belleville Town Hall, on the 23rd day of May 1977 and approved by the Mayor on that date.

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ORDINANCE 2523

AN ORDINANCE ADOPTING A REVISION TO THE CODIFICATION OF THE ORDINANCES OF THE TOWNSHIP OF BELLEVILLE, IN THE COUNTY OF ESSEX, NEW JERSEY

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF BELLEVILLE, NEW JERSEY:

WHEREAS, The Board of Commissioners of the Township of Belleville, in the County of Essex, New Jersey, caused its Ordinances of a general and permanent nature to be compiled and revised and embodied in a revision and codification known as “General Ordinances of the Town of Belleville, New Jersey” by adopting ordinance dated May 23, 1977; and

WHEREAS, on July 1, 1990 the commission form of government ceased to exist and was replaced by the Council-Manager Form of Government as provided by the Optional Municipal Charter Law, N.J.S.A. 40:69A-81, et seq:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Municipal Council of the Township of Belleville, in the County of Essex, New Jersey as follows:

The “General Ordinances of the Township of Belleville, New Jersey”, are hereby amended to reflect the adoption of a change in the form of government to the Council-Manager Form and to provide more efficient administration of governmental services. The effect of the proposed changes contained in the revision are listed below:

Chapter 1 - General. Chapter I is revised to delete and/or replace and/or add appropriate definitions and rules of interpretation.

Chapter 2 - The Administrative Code of the Township of Belleville (Chapter II) is hereby repealed and replaced with a new administrative code applicable to the Council-Manager Form of Government.

Saved from repeal are those provisions 2-19 through 2-23.3 dealing with personnel matters. Those provisions are to be re-codified and placed under the heading of Personnel Provisions, which shall be incorporated at the end of the newly enacted Administrative Code.

BE IT FURTHER ORDAINED that the Administrative Code be and is hereby adopted as attached hereto and made a part hereof and this ordinance shall be adopted by reference in accordance with N.J.S.A. 40:69A-181 and copies of this code have been placed on file in the office of the Municipal Clerk for examination by the public.

Adopted on first reading at a meeting of the Municipal Council of the Township of Belleville, N.J. on July 10, 1990.

/s/Mary Lou Hood, Township Clerk

Editor’s Note: Prior ordinances codified in former Chapter II include portions of Ordinance Nos: 26A, 100G, 103, 105, 108, 115, 121T, 135L, 137L, 147, 169, 172, 419, 437, 479, 503, 667, 679, 809, 953, 1000, 1039, 1079, 1215, 1224, 1242, 1323, 1328, 1367, 1402, 1405, 1485, 1602A, 1620, 1633, 1650, 1667, 1717, 1718, 1719, 1721, 1741, 1786, 1812, 1859, 1863, 1875, 1880, 1881, 1896, 1928, 1979, 1985, 1987, 1999, 2044, 2068, 2075, 2114, 2122A, 2123, 2138, 2159, 2192 2218, 2225, 2235, 2489, 2490.