

**Borough of Ramsey**

**ORDINANCE NO. 1268**

**AN ORDINANCE ADOPTING A REVISION AND  
CODIFICATION OF THE ORDINANCES OF  
THE BOROUGH OF RAMSEY IN THE  
COUNTY OF BERGEN, NEW JERSEY**

WHEREAS, the Mayor and Borough Council of the Borough of Ramsey in the County of Bergen, New Jersey has caused its ordinances of a general and permanent nature to be amended and supplemented and to be compiled and revised and embodied in a revision and codification known as “The Revised General Ordinances of the Borough of Ramsey, 1997.”

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

**Section 1.** The ordinances of the Borough of Ramsey in the County of Bergen, New Jersey, of a general and permanent nature, as codified, in Chapter I through Chapter XXXIV<sup>1</sup> are hereby ordained as “The Revised General Ordinances of the Borough of Ramsey, 1997.”

**Section 2.** All of the provisions of “The Revised General Ordinances of the Borough of Ramsey, 1997,” 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 Borough Council (hereafter referred to as the “Council”) and in force on May 28, 1997 and not contained in “The Revised General Ordinances of the Borough of Ramsey, 1997,” are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided in Section 4.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 Council;

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<sup>1</sup> Editor's Note: In the 2009 republication of this Code, the Roman numerals used to designate chapter numbers were changed to Arabic numerals.

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- 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 laying out, opening, altering, widening, relocating, straightening, acceptance or vacation 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 of or obligation assumed by the Borough;
- g. The annual budget appropriation ordinances or resolution, and all ordinances and resolutions appropriating or transferring funds;
- h. The administrative ordinances or resolutions of the Council not in conflict or inconsistent with the provisions of this Revision;
- i. Any ordinance or resolution of the Council fixing compensation or salaries of the Borough officials and employees or the pay and compensation of positions and clerical employments which are not provided for in this Revision and which are not in conflict or inconsistent therewith;
- j. Any ordinance or resolution of the Council creating employments, positions or offices and fixing duties therefor which are not provided for in this Revision 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. Ordinances adopted by the Board of Health of the Borough of Ramsey;
- m. Ordinances adopted by the Shade Tree Commission of the Borough of Ramsey;
- n. Any ordinances of the Borough Council adopted upon final passage after the 28th day of May, 1997.

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

**Chapter I: General Provisions.** Chapter I is a continuation of many of the provisions of the Code that was adopted in 1972.

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Section 1-1, Short Title is new and provides the official title of this Code. Section 1-2, Definitions has been revised to include new definitions for use within the entire Code or when drafting future ordinances of the Borough. Section 1-3, Construction is new, providing rules of construction and interpretation of general terms used throughout this Revision, as well as for all other ordinances adopted by the Borough of Ramsey and also providing the Divisions of the Code.

Section 1-4, Severability provides for the severability of unconstitutional or unenforceable Code provisions.

Section 1-5, Penalty is new and contains the general penalty clause, which is applicable to the entire Revision or any other ordinance. In subsection 1-5.1, Maximum Penalty, a maximum penalty of a fine not exceeding \$1,000 and/or imprisonment for a term not to exceed 90 days and/or a period of community service not to exceed 90 days is established in accordance with State Statutes. Subsection 1-5.1 eliminates the need to restate the maximum penalty clause each time a new regulatory ordinance is adopted. Subsection 1-5.2, Minimum Penalty permits the Borough Council to establish a minimum penalty for a particular ordinance which may be a fine that does not exceed \$100. Subsection 1-5.3, Additional Fine for Repeat Offenders provides that additional fines may be imposed on repeat offenders. Subsection 1-5.4, Default of Payment of Fine provides that any person who defaults on payment of a fine may be imprisoned in the County Jail or be required to perform community service. Subsection 1-5.5, Separate Violations provides that each and every day a violation exists shall constitute a separate violation. Subsection 1-5.6, Application states that the amount of any particular penalty is at the discretion of the Judge of the Municipal Court.

The balance of this chapter is continued from the provisions of the 1972 Code.

**Chapter II: Administration.** This Administrative Chapter has been organized into eight Articles as follows:

- Article I Mayor and Borough Council
- Article II Offices Created
- Article III Departments Established
- Article IV Establishment of the Municipal Court
- Article V Commissions, Boards, Councils and Committees
- Article VI Administrative Policies and Procedures
- Article VII Contracts and Agreements, and
- Article VIII Fees for Municipal Services.

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Article I Mayor and Borough Council. New text has been added to this Article to provide the public with a general knowledge of the Borough form of government. Section 2-1 is new. Subsection 2-1.1 provides for the organization of the Borough Council; subsection 2-1.2, the Rules of Council; subsection 2-1.3, Ordinances and Resolutions; subsection 2-1.4, Vacancies in the Borough Council; and subsection 2-1.5, Qualifications of persons filling a vacancy in an appointive office.

Section 2-2, Meetings is new. Subsection 2-2.1 provides for the organization of the Council and Council Meetings. Subsection 2-2.2 provides that meetings are open to the public pursuant to the "Open Public Meetings Act."

Section 2-3, Powers and Duties of the Mayor is new and provides for the powers of the Mayor and Section 2-4 is new and provides that the Council shall establish the salaries for the Mayor and Borough Council.

Section 2-6, President of the Council is new and provides for the election and duties of the Council President.

Article II Offices Created. This Article contains the creation of the Offices of the Borough that were established by ordinance or are Statutory positions.

In Section 2-7, the Office of the Borough Administrator is created.

Section 2-8, Borough Clerk is new and provides the appointment, term, qualifications and powers of the Borough Clerk as established in the New Jersey Statutes.

Section 2-9, Chief Financial Officer, as established by Ordinance No. 1056, is codified. Subsection 2-9.3, Duties of the Chief Financial Officer is new, as is subsection 2-9.4, Compensation and subsection 2-9.5, Tenure of Office; Qualifications; Removal.

Section 2-10, Borough Engineer is new and provides for the appointment, qualifications, duties and compensation of the Borough Engineer.

Section 2-11, Borough Attorney is new, providing for the appointment, qualifications, duties and compensation of this office.

Section 2-13, Tax Collector is new providing for appointment, qualifications, term and compensation of the Collector.

Section 2-14, Tax Assessor is new providing for the appointment, qualifications, duties, compensation and term of the Assessor.

Section 2-15, Superintendent of Public Works is new and provides for the appointment, term, compensation and duties of this office.

Section 2-16, Director of Public Safety; Section 2-17, Recreation Supervisor; Section 2-18, Swimming Pool Director and Section 2-19, Office of Consumer Affairs have been created by ordinance and are codified in the Article.

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Article III Departments Established. Within this Article is the creation of the Police Department (Section 2-32); the Fire Department (Section 2-33); and the Volunteer Rescue Squad (Section 2-34).

Article IV Establishment of the Municipal Court. The Municipal Court, as established in the 1972 Code, is continued with updated material added to refer to the "Judge of the Municipal Court" and the "Court Administrator."

This Article also includes the Borough Prosecutor, the Public Defender and the Civilian Court Officer.

Article V Commissions, Boards, Councils and Committees. This Article contains the establishment of the Environmental Commission (Section 2-55); the Shade Tree Commission (2-56); the Swimming Pool Commission (Section 2-57); the Board of Assessors (Section 2-64); Board of Public Works (Section 2-65); Board of Health (Section 2-66) and the Board of Recreation Commissioners (Section 2-67).

Article VI Administrative Policies and Procedures. This Article codifies the Payment of Claims (Section 2-75); Insurance Fund (Section 2-76) and Fees for Municipal Services (Section 2-77).

Article VII Contracts and Agreements. This Article includes only the particular agreements that may be of special interest to the public: Cooperative Purchasing Agreement with Bergen County; Housing Authority of Bergen County and Northwest Bergen Mutual Aid Association.

Article VIII Fees for Municipal Services. Fees charged by the various departments for services are contained in this Article.

**Chapter III: Police Regulations.** This chapter contains the regulations enforced by the Police Department which include regulations concerning the prohibition of alcoholic beverages in public places (Section 3-1); the regulation of amplified sounds and sound trucks (Section 3-2); litter control (Section 3-3); the prohibition of hunting and discharging firearms (Section 3-4); the permission to allow legalized games of chance on Sundays (Section 3-5); library regulations (Section 3-6); the prohibition of loitering (Section 3-7); loud and unnecessary noise prohibited (Section 3-8); parental responsibilities for minors (Section 3-9); permit required for park use (Section 3-10); the prohibition of trespassing (Section 3-12) and the removal of brush, weeds and trash from private property (Section 3-13).

**Chapter IV: General Licensing.** This chapter includes general regulations for the licensing (Section 4-1); automatic amusement games (Section 4-2); bowling alleys (Section 4-3); emergency alarm systems (Section 4-5); the business of motor vehicle rentals (Section 4-6); peddlers and solicitors (Section 4-7); the purchase of precious metals (Section 4-8); taxicabs and vehicles for hire (Section 4-11) and tourist lodges and motels (Section 4-12).

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**Chapter V: Animal Control.** Regulations concerning the control and licensing of dogs; the licensing of kennels, pet shops, and shelters and the licensing of cats are contained in this chapter.

**Chapter VI: Alcoholic Beverage Control.** The existing Borough ordinances on this subject have been rearranged for purposes of topical sequence and new text material has been included.

Section 6-7, Persons Under the Legal Age is new and prohibits sales to minors, prohibits minors from entering premises to purchase alcoholic beverages, prohibits minors from consuming alcoholic beverages; prohibits minors from misrepresenting their age and provides a special penalty for minors as provided in Statutes.

**Chapter VII: Traffic.** This chapter contains the traffic ordinances of the Borough placed in accordance with the new model of organization that has been recommended by the State of New Jersey Division of Motor Vehicles. This chapter may not be enforced until approval is obtained from the Director of the Bureau of Traffic Engineering, New Jersey Department of Transportation. New and revised street regulations are included if they have been recommended by the Police Department or the New Jersey Department of Transportation and approved by the Bureau of Traffic Engineering of the Department of Transportation.

**Chapter VIII: Reserved.**

**Chapter IX: Reserved.**

**Chapter X: Personnel Policies.** This chapter contains the personnel policies which have been adopted by the Council covering employment applicants, benefits for employees, sick and vacation leave, personal days, insurance benefits, etc.

The policy on sexual harassment is included as Section 10-36.

**Chapter XI: Parks and Recreational Facilities.** This chapter incorporates the regulations for use and the fees for using municipal recreational facilities, parks and tennis courts.

**Chapter XII: Reserved.**

**Chapter XIII: Building and Housing.** Included in this chapter are ordinances pertaining to the State Uniform Construction Code; Inspection of Buildings and Certificate of Inspection; Amendments to Building Code; Fallout Shelters; Automatic Sprinkler Systems; Building Unfit for Human Habitation or Occupancy or Use; House Numbers; Parking and Storage of Recreational Vehicles in the R-1, R-2, R-3, R-4 and R-5 Residential Zone Districts; Fair Share Plan and Submission of Recycling Plan.

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Throughout the Code, references to “Building Inspector” have been revised to “Construction Official.”

**Chapter XIV: Fire Prevention and Protection.** This chapter provides for the enforcement of the New Jersey Uniform Fire Code; Fire Safety Zones; Fire Control Measures and Regulations.

**Chapter XV: Reserved.**

**Chapter XVI: Reserved.**

**Chapter XVII: Streets and Sidewalks.** This chapter regulates the obstruction of streets and sidewalks; construction of sidewalks, curbs, driveways and driveway entrances; openings in streets, pedestrian walk-way and standards for municipal improvements.

**Chapter XVIII: Solid Waste Management.** The establishment of a mandatory recycling program, the separation of newspapers and magazines, the separation and collection of leaves.

**Chapter XIX: Sewer and Water.** This chapter includes the water regulations and charges, and regulations concerning water services, regulations concerning the sewer system and management of stormwater.

**Chapter XX: Shade Trees.** This chapter contains regulations requiring the planting of shade trees for new construction; the landscaping plan, which requires planting and maintaining shade and ornamental trees and shrubs; installation and planting material specifications.

**Chapter XXI: Cable Television.** The Franchise for providing Cable TV has been granted to TCI of Northern New Jersey, and the agreement is codified as Chapter XXI.

**Chapter XXII: Reserved.**

**Chapter XXIII: Reserved.**

**Chapter XXIV: Reserved.**

**Chapter XXV: Flood Damage Prevention.** Ordinance No. 901D, establishing flood damage prevention regulations, is codified in this chapter.

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**Chapter XXVI: Soil Movement.** This chapter was enacted to protect the Borough from unauthorized movement of soil and requires a permit for excavating, removing, importing or moving soil within the Borough.

**Chapter XXVII: Reserved.**

**Chapter XXVIII: Reserved.**

**Chapter XXIX: Reserved.**

**Chapter XXX: Use of Development Fees.** This chapter codifies Ordinance No. 1140, which establishes the collection, retention and use of Development Fees by the Borough for providing low and moderate housing.

**Chapter XXXI: Land Use Procedures.** This chapter codifies Ordinance No. 784, which establishes the Planning Board; Ordinance No. 785 which establishes the Zoning Board of Adjustment; and Ordinance No. 1063, which establishes the Design Review Board.

**Chapter XXXII: Subdivision Regulations.** The Subdivision Regulations, as amended and supplemented, are contained in this chapter in toto.

**Chapter XXXIII: Off-Tract Improvements.** Ordinance No. 817 is codified as Chapter XXXIII, providing for off-tract improvements.

**Chapter XXXIV: Zoning.** The Zoning Ordinance, including all amendments and supplements, has been codified in this chapter without change.



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Throughout the Revision there has been reorganization 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 Borough of Ramsey.

**Section 6.** A copy of the Revised General Ordinances of the Borough of Ramsey, in the County of Bergen and State of New Jersey has been filed in the office of the Borough Clerk of the Borough of Ramsey and shall remain there for the use and examination of the public until final action is taken on this ordinance, and if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of Ramsey by impressing thereon the seal of the Borough of Ramsey, as provided by law, and such certified copy shall remain on file in the office of the Borough Clerk of the Borough of Ramsey to be made available to persons desiring to examine the same during all times while the Revision is in effect.

**Section 7.** Amendments to the Revision. Any and all additions, amendments or supplements to the Revision when passed and adopted in such form as to indicate the intent of the Borough Council to make them a part thereof shall be deemed to be incorporated into such revisions so that reference to “The Revised General Ordinances of the Borough of Ramsey, 1997” shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Revision shall be adopted they shall thereafter be printed, and as provided hereunder inserted in the book containing the Revised General Ordinances as amended and supplemented thereto.

**Section 8.** It shall be the duty of the Borough Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing “The Revised General Ordinances of the Borough of Ramsey, 1997,” required to be filed in his office for the use of the public. All changes in the Revision and all ordinances adopted subsequent to the effective date of this codification shall be adopted specifically as part of the Revision 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 Borough Clerk of the Borough of Ramsey, 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 Ramsey. Sufficient copies of the Revised General Ordinances of the Borough of Ramsey shall be maintained in the office of the Borough Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this adopting ordinance coupled with availability of copies of the Revision for inspection by the public shall be deemed, held and considered to be due and legal publication of all provisions of the Revision for all purposes.

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**Section 10.** Copies of the book containing “The Revised General Ordinances of the Borough of Ramsey, 1997” may be purchased from the Borough Clerk upon the payment of a fee to be set by resolution of the Council which may also arrange by resolution the procedures for the periodic supplementation thereof.

**Section 11.** Each section of “The Revised General Ordinances of the Borough of Ramsey, 1997” and every part of each section is an independent section or part of a section and the holding of any section or part thereof 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 12.** This ordinance shall take effect immediately upon final passage and publication thereof according to law.

Passed: 1997

Filed: 1997

Approved: December 10, 1997

/s/ \_\_\_\_\_  
Nancy M. Ecke, Clerk

/s/ \_\_\_\_\_  
John L. Scerbo, Mayor