

2021-83

BE IT RESOLVED that the Board of Commissioners hereby makes the following appointments to the Board of Health:

Barbara Lyons, Member, three-year term expiring June 30, 2024

Marcia Puleio, Member, three-year term expiring June 30, 2024

2021-84

WHEREAS, a renewal application for the following liquor license has been filed with the State of New Jersey:

Plenary Retail Consumption License:

American Multi Cinema Inc.

No. 0250-33-004-004

WHEREAS, the licensee has paid the appropriate State and Village fees; and

WHEREAS, the licensee has been issued their Tax Clearance Certificate; and

WHEREAS, the licensee has received a special ruling from the Director of the Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39 for license terms 2020-2021 and 2021-2022; and

WHEREAS, the license is inactive and shall remain in the office of the Village Clerk. The license certificate may be signed by the Mayor of the Village of Ridgefield Park.

NOW THEREFORE BE IT RESOLVED, that the above license be approved for renewal by the Board of Commissioners in the Village of Ridgefield Park for the licensing terms of 2020-2021 and 2021-2022 and a certified copy of this resolution is to be forwarded to the Alcoholic Beverage Control.

Resolution 2021-85

WHEREAS, Municipal Court Judge F. Terrance Perna has announced his retirement from the Ridgefield Park Municipal Court effective September 1, 2021; and

WHEREAS, Thomas Quirico, Esq., the current Ridgefield Park Municipal Court Prosecutor did apply for the position of Municipal Court Judge seeking to fill the expired term of Judge Perna; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that Thomas Quirico, be and is hereby appointed the Municipal Court Judge for the Village of Ridgefield Park for the unexpired term commencing September 1, 2021 and terminating on December 31, 2021.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK REPEALING CHAPTER 346, "TAXATION," ARTICLE I, "TAX ABATEMENT ON ADDED ASSESSMENTS," DUE TO THE EXPIRATION OF THE PROGRAM PURSUANT TO ITS TERMS

WHEREAS, in 2006 by Ordinance No. 06-02, the Village of Ridgefield Park did adopt a program providing for tax abatements on certain added assessments for one- and two-family homes; and

WHEREAS, said program was codified in Chapter 346, Article I, of the Village Code; and

WHEREAS, pursuant to the terms of said ordinance and the enabling legislation, said program expired by its terms ten (10) years from the adoption of the program; and

WHEREAS, in order to avoid confusion for residents, the Village is desirous of removing referenced to said program from the Village Code since the program is no longer operative.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Village of Ridgefield Park. as follows:

Section 1. Chapter 346, "Taxation," Article I, "Tax Abatements on Added Assessments," is hereby repealed in its entirety. Article I shall be designated as "Reserved."

Section 2. Any article, section, paragraph, subsection, clause, or other provision of the Village of Ridgefield Park Code inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. This Ordinance shall take effect 20 days after its passage and publication as required by law.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK AMENDING AND SUPPLEMENTING CHAPTERS 108, 188 AND 197 TO UPDATE AND REVISE CERTAIN PROVISIONS RELATED TO FIRE INSPECTIONS, FIRE ALARMS, FIRE WATCHES AND PARKING IN FIRE LANES AND NEAR FIRE HYDRANTS

BE IT ORDAINED by the Board of Commissioners of the Village of Ridgefield Park as follows:

Section 1. Section 108-2 of the Village Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§108-2 Assessments for false fire alarms.

After a maximum of two false alarms in any one thirty-day period, the owner or lessee of any alarm system shall be assessed a fee of \$25 plus a matching fee of \$25.00 for Fire Department use as per the Fire Code upon the occurrence of the third false alarm during such thirty-day period. Such fee shall be paid to the Ridgefield Park Fire Prevention Bureau after receipt of a written violation. [Village, provided that the Police Department or Police Chief has given written notification that a false alarm had occurred to the owner or lessee of such device within 30 days of each of the previous two instances where a false alarm had occurred.]

Section 2. Section 108-3 of the Village Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§108-3 Written notice of false alarm

The Fire Official [Police Chief] or his representative shall cause a written notice to be mailed to the owner or lessee of the alarm system within 30 days of the third and each additional false alarm, setting forth the fee due and payable under this chapter.

Section 3. Section 108-5 of the Village Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§108-5 Repair of defective equipment.

If a determination is made by the Fire Prevention Bureau or the Fire [Police] Department that the false alarm was caused by a malfunction or mechanical failure of the equipment as opposed to human carelessness or other cause, written notice of such determination shall be given to the

owner or lessee of the alarm system within 30 days thereof, who shall cause the same to be repaired promptly thereafter.

Section 4. Section 108-6 of the Village Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§108-6 Disconnection of defective system.

In addition to the fee or fees payable under § 108-3, if three or more false alarms are caused by malfunction or mechanical failure of the alarm system, the Fire Official [Village of Ridgefield Park] shall have the right to require the owner or lessee of such alarm system to disconnect the same until such time as it has been repaired, and the Fire Official may order the building vacated or a fire watch established as outlined under §108-10. Neither the Village nor the Fire Official shall [not] be responsible during the period the same is disconnected for any losses incurred by the owner or lessee.

Section 5. Chapter 108, "Alarm Systems," shall be amended and supplemented by adding a new Section 108-9, "Alarm requirements; exemptions," as follows:

§108-9 Alarm requirements; exemptions.

- A. All fire alarm systems shall utilize a common access code as determined by the Fire Official and the Fire Chief.
- B. All new construction and new installations will be required to utilize this code prior to final approval by the Fire Sub-Code Official. Existing alarms will have one year from the most recent fire inspection to update the system to utilize the new access code.
- C. Failure to update or maintain the alarm system in the allotted time and as required thereafter shall be a violation of this section, punishable by a monetary penalty issued by the Fire Official as permitted by the NJ State Fire Code.
- D. This section shall not apply to single-family or two-family structures.

Section 6. Chapter 108, "Alarm Systems," shall be amended and supplemented by adding a new Section 108-10, "Fire watches," as follows

§108-10 Fire watches.

- A. There is hereby created a Fire Watch Program in the Village of Ridgefield Park.
- B. As used in this Chapter, the following terms shall have the meanings indicated:

FIRE WATCH – A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purpose of identifying and controlling fire and other hazards, detecting early signs of fire, raising an alarm of fire to the occupants, notifying the Fire Department and engaging in firefighting or other emergency activity.

- C. A Fire Watch may be ordered by the Fire Official or his/her designee except that in an emergency, or in his/her absence, the ranking Fire Department Officer present may act on his/her own. Fire Watches may be posted in any portion of the Village, and in any public or privately-owned buildings and/or properties as necessary. Such Fire Watches shall be paid for by the applicable building owner, tenant, lessee or management company of a specific property and are to be implemented under the following circumstances:
1. Required fire protection systems are out of service.
 2. Fire Watch is requested by the building owner, tenant, lessee or management organization.
 3. Public and private events with high occupancy loads as deemed appropriate by the Fire Official and his/her assigned designee.
 4. All other situations as deemed necessary by the Fire Official or his/her assigned designee.
- D. Fire Watches shall be performed by a member of Fire Prevention or a member of the Ridgefield Park Fire Department with a minimum of 3 years of experience.
- E. Persons appointed to perform Fire Watch duties shall be considered hourly, at-will employees of the Village, subject to all ordinances, rules and regulations.
- F. All Fire Watch services ordered for the protection of property shall be paid at a rate of \$50 per hour, per individual, and there shall be a minimum fee of four hours per individual. If it is determined that a Fire Apparatus is required, it will be manned by 3 firefighters at the normal hourly rate per individual, plus a fee of \$250 per hour for the use of each piece of Village Fire Apparatus. An administrative fee of 10% will be applied to all billings for Fire Watch services. All payments shall be made within 10 days after the services are provided, and payments shall be made payable to the Village of Ridgefield Park.

Section 7. Section 188-4 of the Village Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§188-4 Organization.

- A. The Bureau of Fire Prevention, established by § 188-2 of this chapter, shall be under the direct supervision and control of the Fire Official/Fire Marshal, who [shall carry the rank

of Captain of the Bureau of Fire Prevention, and] shall report to the Commissioner of Public Safety of the Village of Ridgefield Park.

[B. There is also created the position of Deputy Fire Official/Fire Marshal, who shall carry the rank of Lieutenant of the Bureau of Fire Prevention and be second-in-command of the Bureau.]

[C.] B. The Bureau of Fire Prevention shall have at least one paid Fire Inspector.

Section 8. Section 188-6 of the Village Code is hereby renamed by adding the underlined text and deleting the bracketed text, as follows:

§188-6 **Life hazard uses. [units.]**

Section 9. Section 188-7 of the Village Code is hereby repealed and replaced as follows:

§188-7 **Non-life-hazard uses.**

In addition to the registration required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Prevention of the Village of Ridgefield Park. Such non-life-hazard uses shall pay an annual registration and inspection fee as per Table A, and shall be annually inspected by a member of said Bureau of Fire Prevention:

TABLE A

A. Assembly.

- (1) A-1 Eating only establishment, under fifty-occupant load: \$80.
- (2) A-2 Takeout food service, no seating: \$80.
- (3) A-3 Church or synagogue: (exempt/no charge).
- (4) A-4 Recreation centers, multipurpose rooms, under one-hundred-occupant load: \$80.
- (5) A-5 Court rooms, libraries, fraternal organizations, condominium centers, under one-hundred-occupant load: \$120.
- (6) A-6 Senior citizen centers, fewer than two-hundred-occupant load: \$80.

B. Business/professional.

- (1) B-1 One and two stories, less than 5,000 square feet per floor: \$80.
- (2) B-2 One and two stories, 5,001 to 10,000 square feet per floor: \$120.

- (3) B-3 One and two stories, 10,001 to 12,000 square feet per floor: \$170.
- (4) B-4 Three to five stories, less than 5,000 square feet per floor: \$220.
- (5) B-5 Three to five stories, 5,001 to 10,000 square feet per floor: \$330.
- (6) B-6 Three to five stories, over 10,000 square feet per floor: \$470.

C. Retail.

- (1) M-1 One story, less than 2,000 square feet: \$80.
- (2) M-2 One and two stories, 2,001 to 5,000 square feet per floor: \$160.
- (3) M-3 One and two stories, 5,001 to 8,000 square feet per floor: \$250.
- (4) M-4 One and two stories, more than 8,001 square feet per floor: \$420.
- (5) M-5 Three to five stories, less than 5,000 square feet per floor: \$440.
- (6) M-6 Three to five stories, over 5,000 square feet per floor: \$600.

NOTE: Under the M Use Group, a hardware store 3,000 square feet per floor or more is a life-hazard use. Retail stores over 5,000 square feet are also life-hazard uses.

D. Manufacturing (factory) non-life-hazard only.

- (1) F-1 One and two stories, less than 3,000 square feet per floor: \$160.
- (2) F-2 One and two stories, 3,001 to 7,000 square feet per floor: \$270.
- (3) F-3 One and two stories, more than 7,001 square feet per floor: \$420.
- (4) F-4 Three to five stories, all others, non-life-hazard use: \$750.

E. Storage (S-1 moderate hazard, S-2 low hazard, non-life-hazard use only).

- (1) S-1 One and two stories, less than 3,000 square feet per floor: \$160.
- (2) S-2 One and two stories, 3,001 to 7,000 square feet per floor: \$270.
- (3) S-3 One and two stories, over 7,001 square feet per floor: \$420.
- (4) S-4 Three to five stories, all others, non-life-hazard use: \$750.

F. Residential.

- (1) R-1 Non-owner-occupied, one family: \$75.

- (2) R-2 Non-owner-occupied, two family: \$110.
- (3) R-3 Three to 10 units, multiple-family: \$175.
- (4) R-4 Eleven to 20 units, multiple-family: \$300.
- (5) R-5 Twenty-one or more units, multiple-family: \$475.

G. Fire lane violations.

- (1) For parking in a legally designated fire lane: \$75.

H. Fire reports.

- (1) To obtain a copy of a fire report or Fire Officer's/Fire Marshal's investigation: \$25.

I. Temporary or miscellaneous.

- (1) Note: Only common areas are inspected in multiple-family dwellings; unit inspections are performed by the Bureau of Housing.

Section 10. Section 188-8 of the Village Code is hereby repealed and replaced as follows:

§188-8 Permits.

Permit fees are established by type group, as defined in the State Uniform Fire Code, as per Table B:

TABLE B

Type 1	\$70
Type 2	\$214
Type 3	\$427
Type 4	\$641

Section 11. Section 197-73 of the Village Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§197-73 Fire lanes or zones; hydrants.

- A. No person shall park or stop a motor vehicle in, or in any other manner obstruct, a properly designated fire lane, fire hydrant or Fire Department connection. This shall apply to any public street, private street or access lane. [No person shall park any vehicle or permit any unoccupied vehicle to be parked or stand in any zone designated by the

Village Fire Prevention Bureau as a fire lane or zone in cooperation with the Ridgefield Park Police Department and approved by the Board of Commissioners.]

- B. All fire lane locations shall be recorded in a file maintained by the Fire Prevention Bureau and shall be made available for public inspection. Copies of said file shall also be located in the Village Clerk's office, the Police Department and the Fire Department.
- C. Violations of this section or any provision of the Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.) or the New Jersey Uniform Fire Code (N.J.A.C. 5:70 et seq.) which pertains to this section shall be enforced by the Fire Prevention Bureau. The Police Department shall have concurrent jurisdiction to issue violations of this section which are also deemed to be parking or motor vehicle violations.
- D. The Police Department shall assist the Fire Prevention Bureau in obtaining information on any vehicle in violation of this section. The Fire Prevention Bureau shall have the authority to have any vehicle found in violation of this section impounded at the expense of the vehicle owner.
- E. The Fire Prevention Bureau shall have the authority to issue any fine, penalty or enforcement action as provided for in the Uniform Fire Safety Act or the New Jersey Uniform Fire Code. Unless another fine, penalty or enforcement action is expressly provided for by the aforementioned laws, any person who violates any provision of this section shall be issued the following fines:
 - 1. First offense: \$35.
 - 2. Second offense: \$100.
 - 3. Third offense: \$250.
 - 4. Fourth offense: \$500, and vehicle shall be impounded at the expense of the owner.

Section 12. Severability.

If any provision or portion of a provision of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the Ordinance shall not be invalidated and shall remain in full force and effect.

Section 13. Effective date.

This Ordinance shall take effect 20 days after upon adoption and publication as required by law.

Section 14. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2021-11

AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 152.01, LOTS 1, 1.01 AND 2 IN THE VILLAGE OF RIDGEFIELD PARK

WHEREAS, the Board of Commissioners of the Village of Ridgefield Park on or about January 21, 2021, by Resolution No. 2021-11, authorized and directed the Planning Board of the Village of Ridgefield Park to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether certain parcels of land, as identified herein, satisfied the criteria set forth in the Local Redevelopment and Housing Law, and specifically N.J.S.A. 40A:12A-3 or -5, to be designated as an "Area in Need of Redevelopment" without the powers of condemnation; and

WHEREAS, the parcels of land that were investigated to determine whether they were an Area in Need of Redevelopment are as follows:

- Block 152.01, Lot 1
- Block 152.01, Lot 1.01
- Block 152.01, Lot 2

(the parcels are collectively referred to as the "Redevelopment Area"); and

WHEREAS, in 2019, the Borough of Bogota declared the properties adjoining the Redevelopment Area to the north as an area in need of redevelopment for non-condemnation purposes. These properties included the northern portion of a golf driving range facility and the northern portion of the industrial uses between the railroads; and

WHEREAS, as part of its own investigation of this area, the Board of Commissioners directed the Planning Board to prepare a map showing the boundaries of the Redevelopment Area and the location of the parcels contained therein, and directed that appended thereto should be a statement setting forth the basis of the investigation; and

WHEREAS, the Board of Commissioners further directed that the Planning Board conduct a public hearing in accordance with the Local Redevelopment and Housing Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Redevelopment Area and the date of the hearing to any persons who are interested in or would be affected by a determination affecting the Redevelopment Area; and

WHEREAS, the notice of the hearing specifically stated that the redevelopment area determination did not authorize the Village to exercise the power of eminent domain to acquire any property in the Redevelopment Area, for the Redevelopment Area was being investigated for possible non-condemnation redevelopment; and

WHEREAS, the Board of Commissioners directed that at the public hearing, the Planning Board should hear from all persons who are interested in or would be affected by a determination that the Redevelopment Area qualifies as a non-condemnation area in need of redevelopment; and all objections to the aforesaid determination and evidence in support of those objections should be received and considered by the Planning Board and made part of the public record; and

WHEREAS, the Board of Commissioners directed that after conducting its investigation, preparing a map of the Redevelopment Area, and conducting a public hearing at which all objections to this determination were received and considered, the Planning Board should make recommendations to the Board of Commissioners as to whether the Board of Commissioners should determine that certain properties within the Village of Ridgefield Park qualify for non-condemnation redevelopment within An Area in Need of Redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-3 or -5; and

WHEREAS, the Planning Board authorized Kenneth Ochab, PE, PP of Kenneth Ochab Associates, LLC to prepare a map of the proposed Redevelopment Area and undertake an investigative study to determine whether the parcels within the Redevelopment Area qualify as a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Board of the Village of Ridgefield Park considered the redevelopment area designation analysis with reference to the objectives set forth in the applicable zoning ordinances of the Village of Ridgefield Park and Master Plan of the Village of Ridgefield Park; and

WHEREAS, such redevelopment area designation analysis was reviewed with reference to sound and prudent zoning and planning principles and reviewed in conjunction with the aforementioned ordinance objectives; and

WHEREAS, the Planning Board reviewed the investigative report prepared and submitted by Kenneth Ochab PE, PP of Kenneth Ochab Associates, LLC, 12-16 Fair Lawn Avenue, Fair Lawn, N.J. 07410, entitled "In Need Of Redevelopment Investigation For Block 152.01 Lots 1 and 1.01, which is actually a riparian grant to the property owner, in the Village of Ridgefield Park," dated April 5, 2021, (Ochab Report), which report also included an analysis of Lot 2, and the map of the parcels that make up the Redevelopment Area, which would be affected by a determination that the Redevelopment Area qualifies An Area in Need of Redevelopment without the power of condemnation; and

WHEREAS, a public hearing was held on May 17, 2021, and notice of the hearing was given in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, at the May 17, 2021 public hearing, Kenneth Ochab provided testimony as a professional planning consultant for the Planning Board of the Village of Ridgefield Park as to whether or not the parcels within the Redevelopment Area qualify for a non-condemnation area in need of redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-3 or -5; and

WHEREAS, after the public hearing, the Planning Board adopted a Resolution on May 17, 2021, incorporating the findings of fact and conclusions resulting therefrom, and directed that same be provided to the Board of Commissioners in response to Resolution No. 2021-11; and

WHEREAS, said resolution specifically determined that Kenneth Ochab correctly applied N.J.S.A. 40A:12A-5(c) & (d), and that the Redevelopment Area should be appropriately designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the Board of Commissioners received said Resolution from the Planning Board and considered the findings, conclusions and recommendations therein; and

WHEREAS, the Board of Commissioners of the Village of Ridgefield Park did thereafter adopt Resolution No. 2021-65 on May 25, 2021, designating Block 152.01, Lots 1, 1.01 and 2 as an Area In Need of Redevelopment without the power of condemnation; and

WHEREAS, the Board of Commissioners did thereafter request that the Planning Board prepare a Redevelopment Plan for the Redevelopment Area; and

WHEREAS, at the June 7, 2021 meeting of the Planning Board, an informal hearing took place regarding a Redevelopment Plan prepared with revisions by Kenneth Ochab, dated June 7, 2021, for Block 152.01, Lots 1, 1.01, and 2; and

WHEREAS, the Planning Board approved the revised Redevelopment Plan and instructed the Board Secretary to transmit the Redevelopment Plan to the Board of Commissioners for consideration and adoption; and

WHEREAS, the Board of Commissioners of the Village of Ridgefield Park has considered the Redevelopment Plan transmitted by the Planning Board and is desirous of formally adopting same pursuant to the Local Redevelopment and Housing Law.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Village of Ridgefield Park, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan dated June 7, 2021, prepared by Kenneth Ochab, P.P., AICP, entitled "INDUSTRIAL AVENUE NORTH NON-CONDEMNATION REDEVELOPMENT PLAN, BLOCK 152.01, LOTS 1, 1.01 AND 2," a copy of which is on file with the Village Clerk and which is incorporated herein by reference, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law.

Section 3. The zoning map in the zoning ordinance of the Village is hereby amended to include the Redevelopment Area per the boundaries described in the Redevelopment Plan and all of the provisions therein shall supersede the applicable development regulations set forth in the Village Code.

Section 4. Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

Section 5. Inspection.

A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Village Clerk during regular business hours.

Section 6. Effective date.

This Ordinance shall take effect 20 days after final publication as required by law.

Section 7. Repeal of inconsistent ordinances.

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

Section 8. Notice to County Planning Board.

Within 30 days of the adoption of this Ordinance, a copy of same shall be transmitted to the Bergen County Planning Board in accordance with N.J.S.A. 40:27-4.