

TOWNSHIP COUNCIL MEETING AGENDA
MONDAY, FEBRUARY 26, 2018
7:00 P.M.

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE - TAKE NOTICE THAT ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH N.J.S.A. 10:4-8 AND N.J.S.A. 10:4-10 AS FOLLOWS: A NOTICE OF THE MEETING WAS PROMINENTLY POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING, LOCATED AT 225 MAIN STREET, LITTLE FALLS, N.J. ON JANUARY 2, 2018. A COPY OF THE NOTICE WAS MAILED TO THE NORTH JERSEY HERALD & NEWS AND THE RECORD ON THE SAME DATE. ADDITIONALLY, A COPY OF THE NOTICE WAS FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON SAID DATE.

ROLL CALL

MINUTES

APPROVAL OF MINUTES FROM THE WORKSHOP MEETING OF FEBRUARY 12, 2018
AND THE REGULAR MEETING OF JANUARY 22, 2018

REMARKS FROM THE CHAIR

COUNCIL MEMBER REPORTS

MAYOR'S REPORT

PROCLAMATION HONORING LFAC PURPLE COBRAS

PROCLAMATION HONORING LFAC PURPLE PANDAS

PROCLAMATION HONORING LFAC FCFC

2018 BUDGET PRESENTATION

RESOLUTION-WAVIER OF READING IN FULL OF 2018 MUNICIPAL BUDGET [A]

RESOLUTION AUTHORIZING INCREASE IN DEFFERED SCHOOL TAXES FOR REGIONAL HIGH SCHOOL TAXES [B]

RESOLUTION TO INTRODUCE THE 2018 MUNICIPAL BUDGET [C]

INTRODUCTION OF ORDINANCE #1315, AN ORDINANCE ENTITLED, "CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR APRIL 9, 2018.

ATTORNEY'S REPORT

**PUBLIC HEARING ON OPEN SPACE FARMLAND AND PRESERVATION TRUST FUND
APPLICATION FOR IMPROVEMENTS TO LOUIS STREET PARK**

PUBLIC COMMENT - AGENDA ITEMS ONLY

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

CONSENT AGENDA

ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED WITH A SINGLE MOTION. FOR ANY ITEMS UNDER REQUISITIONS THE TREASURER HAS SUPPLIED A CERTIFICATION OF THE AVAILABILITY OF FUNDS.

REPORTS

MUNICIPAL CLERK'S REPORT FOR THE MONTH OF JANUARY 2018

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT FOR THE MONTH OF JANUARY 2018

TAX COLLECTOR'S REPORT FOR THE MONTH OF JANUARY 2018

TAX COLLECTOR'S ANNUAL REPORT FOR 2017

RECREATION CENTER REPORT FOR THE MONTH OF JANUARY 2018

CIVIC CENTER REPORT FOR THE MONTH OF JANUARY 2018

APPLICATIONS

HENRY BUIKEMA AMERICAN LEGION POST 121, INSTANT RAFFLE ANNUAL LICENSE,
3/2/18 - 3/2/19, 55 VAN NESS AVENUE, LITTLE FALLS

FAIRFIELD HSA, ON-PREMISE 50/50, 4/27/18, 6:00 P.M. - 11:00 P.M., 4-6
WOODHULL AVENUE, LITTLE FALLS

FAIRFIELD HSA, TRICKY TRAY, 4/27/18, 6:00 P.M. - 11:00 P.M., 4-6 WOODHULL
AVENUE, LITTLE FALLS

LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, TRICKY TRAY, 4/21/18, 6:00
P.M. - 9:00 P.M., 215 ROUTE 23, LITTLE FALLS

LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, TRICKY TRAY, 4/24/18, 6:00
P.M. - 9:00 P.M., 215 ROUTE 23, LITTLE FALLS

LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, ON-PREMISE 50/50, 6/28/18
THROUGH 8/30/18, 7:00 P.M. - 8:30 P.M., WILMORE ROAD PARK, LITTLE FALLS

THE DIANE D'APOLITO-MAY BEYOND THE RAINBOW CHARITABLE FOUNDATION, ON-PREMISE
50/50, 3/24/18, 7:00 P.M. - 11:00 P.M., 215 ROUTE 23, LITTLE FALLS

THE DIANE D'APOLITO-MAY BEYOND THE RAINBOW CHARITABLE FOUNDATION, TRICKY
TRAY, 3/24/18, 7:00 P.M. - 11:00 P.M., 215 ROUTE 23, LITTLE FALLS

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, MAYER ROSENBERG,
LORRAINE DRIVE, CLIFTON, EAGLE HOSE CO. #1

NJ STATE FIREMEN'S ASSOCIATION, SARAH RAMOS, LITTLE FALLS FIRE DEPARTMENT

CORRESPONDENCE

REQUEST FROM ENTERPRISE FIRE COMPANY NO. 2 FOR PERMISSION TO HOLD ANNUAL
BOOT DRIVE FUNDRAISER ON FRIDAY, MAY 4, 2018 FROM 4:00 P.M. TO 7:00 P.M. AT
THE INTERSECTION OF MAIN STREET AND UNION AVENUE AND ON SATURDAY, MAY 5,
2018 FROM 10:00 AM TO 4:00 PM AT THE INTERSECTIONS OF MAIN STREET AND
STEVENS AVENUE AND MAIN STREET AND UNION AVENUE

RESOLUTIONS

PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND IMPROVEMENTS
TO LOUIS STREET PARK ENABLING RESOLUTION [D]

RESOLUTION AUTHORIZING THE SUBMITTAL OF THE FY 2018 PASSAIC COUNTY CDBG
APPLICATION FOR IMPROVEMENTS TO THE CIVIC CENTER [E]

FAIR HOUSING RESOLUTION [F]

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN
HIGHVIEW HOMES LF, LLC AND THE TOWNSHIP OF LITTLE FALLS CONCERNING
CONSTRUCTION ON REAL PROPERTY IDENTIFIED AS 139 CENTER AVENUE, LITTLE FALLS,
NEW JERSEY [G]

BILL LIST [H]

NEW BUSINESS

SECOND READING AND PUBLIC HEARING OF ORDINANCE #1306, AN ORDINANCE ENTITLED,
"ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE
COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 7
ENTITLED TRAFFIC".

SECOND READING AND PUBLIC HEARING OF ORDINANCE #1308, AN ORDINANCE ENTITLED,
"AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING AND SUPPLEMENTING THE
ZONING PROVISIONS OF THE TOWNSHIP CODE CHAPTER 280, ARTICLE XXII, FENCES".

SECOND READING AND PUBLIC HEARING OF ORDINANCE #1309, AN ORDINANCE ENTITLED,
"ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE

COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71, FEES".

INTRODUCTION OF ORDINANCE #1310, AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING TOWNSHIP CODE SECTION 122, ARTICLE VI, 'LICENSING OF ELECTRONIC SMOKING OR VAPOR ESTABLISHMENTS'", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR MARCH 26, 2018.

INTRODUCTION OF ORDINANCE #1311, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71, FEES", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR MARCH 26, 2018.

INTRODUCTION OF ORDINANCE #1312, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 7, ENTITLED, TRAFFIC, SECTION 7-17.1, VEHICULAR TRAFFIC EXCLUDED FROM CERTAIN STREETS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR MARCH 26, 2018.

INTRODUCTION OF ORDINANCE #1313, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 7, ENTITLED, TRAFFIC, SECTION 7-8, ONE-WAY STREETS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR MARCH 26, 2018.

INTRODUCTION OF ORDINANCE #1314, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, FURTHER AMENDING THE TOWNSHIP CODE CHAPTER 7, ARTICLE I, SECTION 7-15, TRAFFIC, ROUTES FOR TRUCKS OVER THIRTEEN TONS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR MARCH 26, 2018.

PUBLIC COMMENT - GENERAL MATTERS

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

ADJOURN

TOWNSHIP OF LITTLE FALLS

PASSAIC COUNTY, NEW JERSEY

RESOLUTION [A] 18-02-26 - #

Resolution Re: Waiver of Reading in Full of the 2018 Budget

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted and at the free public library, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Township of Little Falls has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, the reading in full of the 2018 Budget be dispensed with.

Approved February 26, 2018

ATTEST:

Township Clerk

cc: Finance Dept., DLGS, Auditor, Budget File, Dept.

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY

RESOLUTION [B] 18-02-26 - # _____

Resolutions Re: Authorizing Increase in Deferred School Taxes
for Regional High School Taxes

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any amounts; and

WHEREAS, the Township has decided that an increase in Deferred School Taxes is in the best interest of the Township of Little Falls at this time;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2017 as follows:

	Deferred Regional High School Taxes
Amount Deferred 12/31/17	\$3,766,497
Amount Deferred 12/31/16	<u>\$3,627,671</u>

BE IT FURTHER RESOLVED, by the Mayor and Township Council that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

ATTEST

Approved: February 26, 2018

Township Clerk

Mayor

cc: Finance Dept.; DLGS; Auditor; Budget File; Dept.

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY

RESOLUTION [C] 17-02-27 - # _____

Re: Introduction of 2018 Budget

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Little Falls, Passaic County, New Jersey for the year 2018.

BE IT FURTHER RESOLVED, that the said budget be published in the Herald News in the issue of March 2, 2018, and that a hearing on the Budget will be held at the Municipal Building on April 9, 2018 at 7:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Introduced by _____

Seconded by _____

ATTEST

Approved: February 26, 2018

Township Clerk

Mayor

cc: Finance Dept.; DLGS; Auditor; Budget File; Dept.

RESOLUTION [D] 18-02-26 - # _____

WHEREAS, the Mayor and Council of the Township of Little Falls are requesting funding through the Passaic County Open Space and Farmland Preservation Trust Fund for improvements to Louis Street Park; and

WHEREAS, pursuant to the State Shared Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the Township of Little Falls; and

NOW, THEREFORE BE IT RESOLVED the Mayor and Council of the Township of Little Falls do hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, the Mayor and Council certify the resolution for the application to be presented to the Passaic County Department of Planning.

APPROVED:

James Damiano, Mayor

CERTIFICATION:

I Hereby Certify That The Above Resolution Is A True Copy Of The Resolution Adopted By The Mayor And Council At Their Regular Meeting Held on February 26, 2018 at The Township of Little Falls Municipal Building, 225 Main St., Little Falls, New Jersey 07424.

Cynthia Kraus
Township Clerk

RESOLUTION [E] 18-02-26 - # _____

WHEREAS, the Mayor and Council of the Township of Little Falls are requesting funding through the Passaic County Community Development Block Grant Program for improvements to the Community Civic Center; and

WHEREAS, pursuant to the State Shared Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the Township of Little Falls; and

NOW, THEREFORE BE IT RESOLVED the Mayor and Council of the Township of Little Falls do hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, the Mayor and Council certify the resolution for the application to be presented to the Passaic County Department of Planning.

APPROVED:

James Damiano, Mayor

CERTIFICATION:

I Hereby Certify That The Above Resolution Is A True Copy Of The Resolution Adopted By The Mayor And Council At Their Regular Meeting Held on February 26, 2018 at The Township of Little Falls Municipal Building, 225 Main St., Little Falls, New Jersey 07424.

Cynthia Kraus
Township Clerk

RESOLUTION [F] 18-02-12 - # _____

The Township of Little Falls supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Township of Little Falls to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Township of Little Falls further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Township of Little Falls do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Township of Little Falls will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Township of Little Falls shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this 26th day of February, 2018

ATTEST:

Cynthia Kraus, Township Clerk

February 26, 2018

RESOLUTION [G] 18-02-26 - # _____

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AUTHORIZE THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN HIGHVIEW HOMES LF, LLC AND THE TOWNSHIP OF LITTLE FALLS CONCERNING CONSTRUCTION ON REAL PROPERTY IDENTIFIED AS BLOCK 96, LOT 8, 9, 10 & 20 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY, MORE COMMONLY KNOWN AS 139 CENTER AVENUE, LITTLE FALLS, NEW JERSEY

WHEREAS, Highview Homes LF, LLC, a New Jersey Limited Liability Company, (hereinafter "Developer") with an address of 280 Highway 35, Suite 150, Red Bank, New Jersey 07701 received Preliminary and Final Site Plan Approval to develop a certain real property designated as Block 96, Lot 8, 9, 10 & 20 on the Official Tax Map of the Township of Little Falls, (Property);

WHEREAS, the nature and the extent of the improvement/development aforesaid are set forth in the Resolution of the Township of Little Falls Planning Board dated October 5, 2017; and

WHEREAS, the Developer is required to enter into a Developer's Agreement with the Township of Little Falls ("Township") setting forth the rights, duties and obligations of the parties in connection with the Development; and

WHEREAS, there has been prepared a Developer's Agreement by and between the Developer and the Township; and

WHEREAS, the Township desires to authorize the execution of the Developer's Agreement subsequent to its execution by the Developer;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, they being the Governing Body thereof as follows:

1. All the terms and conditions of a certain Developer's Agreement by and between the Township of Little Falls and the Developer are hereby approved, ratified and confirmed by the Township of Little Falls.

2. The Mayor and Clerk are hereby authorized to execute said Developer's Agreement subsequent to the execution by the Developer and together with other appropriate officers and employees of the Township are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

3. The Township hereby authorizes and approves any non-substantive modifications to the Developer's Agreement as may be recommended and approved by the Township Engineer and Township Attorney prior to execution.

4. This Resolution shall take effect immediately.

ORDINANCE NO. 1306

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 7 ENTITLED TRAFFIC

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently provide for speed limits on various public streets in the Township; and

WHEREAS, the Municipal Council ("Municipal Council") of the Township has determined to amend Chapter 7 entitled Traffic, Section 7-28, Speed Limits, as follow:

7-28 Speed Limits

Speed limits for traffic along the following streets shall be established as follows:

Name of Street	Travel	Speed Limit
Canterbury Lane	Both Directions	15 MPH for entire length
Turnberry Road	Both Directions	15 MPH for entire length

1. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
2. This Ordinance shall take effect upon its final passage by the Municipal Council, and approved by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1308

AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE CHAPTER 280 ARTICLE XXII. FENCES

BE IT ORDAINED by the governing body of the Township of Little Falls, Passaic County, New Jersey, that the Zoning Ordinance of the Township of Little Falls Chapter 280 Zoning Article XXII Entitled Fences is hereby amended as follows:

WHEREAS, the Township has found that the current provisions of chapter 280 Zoning Article XXII Fences needs to be amended to address current standards and issues;

NOW, WHEREFORE, IT IS HEREBY ORDAINED by the Governing Body of the Township of Little Falls as follows:

Article 280-163, Compliance required
Article 280-164. Definitions
Article 280-165. Height Limitations; measurements
Article 280-166. Residential Districts
Article 280-167 Business and Industry districts.

The Current Articles listed above are hereby repealed and will be replaced with the Articles presented below:

Chapter 280 Zoning
Article XXII. Fences

280-163. Compliance required.

No fence, hedge or screen planting shall be permitted within the Township of Little Falls except in accordance with this chapter.

280-164. Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

Height

Measured from the average natural elevation prior to any construction Three (3) feet either side of the proposed location of a fence, hedge or screen planting.

Solid Construction

Any fence that is less than 50% open space between the pickets, slats or crossbars of the fence.

280-165. Restrictions near intersection streets.

No fence, hedge or screen planting in excess of three (3) feet in height shall be permitted closer than twenty-five (25) feet from the point of intersection of the side lines of intersection streets so as to provide adequate sight clearance for vehicular, bicycle and pedestrian traffic.

280-166. Permitted Fences.

- A. Within any required front yard, no fence or wall used as a fence shall be erected and maintained over four (4) feet in height. Fences erected in the front yard shall be 50% clear. Within the required side or rear yard, no fence or wall used as a fence shall be erected on any lot in excess of six (6) feet in height. All fences constructed after March 31, 2018 shall comply with all the provisions of this chapter.
- B. The use of chain link fence of any kind is not permitted in the front of a principal building beyond the front building line.
- C. Fences shall not have any kind of razor wire, barbed wire or glass as a part of the fence structure.
- D. Pillars, piers, stanchions and cheek walls may be located in the front yard of a lot, provided that such structures are set back a minimum of five (5) feet from the property line.
- E. Hedge or screen planting in excess of three (3) feet in height may be located in the front yard of a lot, provided that such structures are set back a minimum of five (5) feet from the property line.
- F. Pillars, piers, gates and stanchions may not exceed five (5) feet in height, measured from the finished grade, except that up to two piers or stanchions and gates at a driveway entrance to a lot may be up to six (6) feet in height measured from grade to the topmost portion of the pier or stanchion.
- G. The entrance space created by the gates, posts, piers, stanchions, cheek walls and the like shall have a fifteen (15) feet of clear unobstructed space. This is established to allow emergency service vehicles clear access to the property.
- H. Cheek walls attached to gates, posts, piers, and/or stanchions may not be more than four (4) feet long and two (2) feet wide.
- I. A fence erected on top of a freestanding wall may not exceed three (3) feet in height.
- J. Fences for dog runs, animal runs, or pens of any kind may not exceed a height of six (6) feet. These structures may be enclosed on the top. All fences for these structures shall be screened and may not be visible from the street and or neighbors. All fences for these structures shall be set at least five (5) feet from the rear and side yard property line.
- K. Any legally existing nonconforming fence may be rebuilt or replaced in its existing location with no increase in height in the manner herein provided.

280-167. Decorative side to face outward.

The finished or decorative side of any fence, as determined by the Construction Code Official of the Township of Little Falls, shall face outward in the direction of the street or adjoining properties.

280-168. Permits, fees

Any person or business entity desiring to erect a fence on their property shall make application and provide a property survey thereof to the Construction Code Official of the Township of Little Falls and pay the required fee pursuant to Chapter 71 of the Code of the Township of Little Falls.

280-169. Appeals.

Any person or business who is denied a building permit for a fence may appeal the decision of the Construction Code official of the Township of Little Falls to the Township Land Use Board pursuant to the procedure set forth in Chapter 109 Land Use Procedures in the Code of the Township of Little Falls.

280-170. Maintenance.

It shall be the obligation of the owner or occupant of the property to maintain any fence, hedge, or screen planting so that it does not violate the terms or provisions of this chapter.

280-171. Administration.

The Construction Official of the Township of Little Falls shall administer and enforce this chapter and shall make the determination concerning compliance with this chapter and the issuance of construction or building permit.

280-172. Landscaping.

Nothing contained in this chapter shall be construed as prohibiting in any required front, rear or side yard decorative or landscape plantings, such as bushes, flowers, trees, and the like, which are not designed or intended as a fence.

280-173. Violations and penalties.

Violation of the provisions of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article 1.

Severability. The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

This ordinance shall take effect upon adoption by the Township Council and publication by the Township Clerk in accordance with the law.

PASSED: _____

TOWNSHIP OF LITTLE FALLS
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1309

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71 FEES

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently provides for the regulation of its Fees in the Township; and

WHEREAS, the Municipal Council ("Municipal Council") of the Township has determined to amend Chapter 71 of the Code entitled Fees; and

WHEREAS, the Municipal Council has determined to amend said Chapter of the Code as follows:

71-2 Fee Schedule

Chapter 280 Article XXII Fences

280-168	Fence Permit	\$50.00
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136. XI. Consistency, Severability and Repealer

(A) 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.

(B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

(C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 71 of the Code entitled Fees of the Code of the Township of Little Falls.
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 71 of the Code entitled Fees of the Code shall remain unchanged and have full force and legal effect. All other ordinances enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1310
TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY
ELECTRONIC SMOKING OR VAPOR DEVICES AMENDING SECTION IN THE
TOWNSHIP CODE ENTITLED CODE SECTION 122- ARTICLE VI “LICENSING OF
ELECTRONIC SMOKING OR VAPOR ESTABLISHMENTS”

122-30. Definitions.

ELECTRONIC SMOKING OR VAPOR DEVICE – An electronic smoking device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, hookah, pipe or any cartridge or other component of the device or related product.

ELECTRONIC SMOKING or VAPOR DEVICE OPERATION – Any establishment, person, entity, or business that sells electronic smoking or vapor devices including, but not limited to, an electronic cigarette, cigar, cigarillo, hookah, pipe or other smoking or vapor device, or any cartridge or other component of the device or related product.

122-31. Right of entry.

It shall be lawful for any member of the Township Department of Health, the Health Officer, Health Inspectors or any person acting under and by the authority of the Township Department of Health to enter in and upon any premises within the Township in the exercise of the powers or in the fulfillment of its or their duties conferred or imposed by law or township ordinance and the rules and regulations thereunder. Any person hindering, obstructing, delaying, resisting, preventing or interfering with such right of access shall be deemed to violate the provisions of this article.

122-32. License required; fees; inspection.

- A. It shall be unlawful for any person(s) or any corporate body to conduct an electronic smoking or vapor device operation, as defined in Chapter 122 herein without first having procured a license from the Health Officer.
- B. No person shall carry on, conduct or operate an electronic smoking or vapor device operation within the Township without first obtaining a license therefor from the Health Officer.
- C. The annual license fee to be paid for an electronic smoking or vapor device establishment shall be \$500.00.
- D. Electronic smoking or vapor device operations are subject to periodic compliance inspections by the health department. Fees for the re-inspection of any operation which is necessitated by violations of any of the provisions set forth in this article observed during the initial inspection shall be \$100.00.
- E. Electronic smoking or vapor device operations must be conducted inside a place of business located within a retail zone. A license will only authorize sales of related devices or products at the place of business identified on the application.

- F. It shall be unlawful for the electronic smoking or vapor device operation to allow the use of sampling of the devices or related products in the public right of way or in an egress where pedestrians or customers must pass that falls within the storefront occupied by the operation or that fall in front of businesses in the same building that directly neighbor the said operation.

122-33 Application for license; renewal license.

- A. Application for an electronic smoking or vapor device operation shall be submitted on forms to be furnished by the Board of Health. The application shall be accompanied by the applicable license fee of \$500.00 in cash, check or money order.
- B. A renewal license may be applied for by a license for premises licensed during the previous licensed period.
- C. Each and every applicant for a license for an electronic smoking or vapor device operation shall set forth the following information in writing on forms provided by the Health Officer:
 - (1) The applicant's name, business name, business address, applicant's phone number and the business's phone number.
 - (2) The applicant's email address.
 - (3) If the applicant is an individual, the applicant's residence address.
 - (4) If the applicant is a partnership, corporation, limited liability company, or any other type of business entity, the applicant shall set forth the full name and residence address of each partner, member or officer of the business entity.
 - (5) If the applicant is a partnership, corporation, or limited liability company, the applicant must submit a certificate from the State of New Jersey that the business entity, regardless of form, is in good standing, according to the records of the State of New Jersey.

122-34. Issuance of license; contents; expiration date.

- A. The granting of an electronic smoking or vapor device establishment license shall be by the Health Officer. The Health Officer shall not issue or renew a license until he/she has confirmed that the establishment is in compliance with all provisions set forth within this Article VI of code section 122.
- B. The license shall state:
 - (1) Date of issuance
 - (2) Name of establishment
 - (3) Name of owner
 - (4) Purpose for which issued
 - (5) Location of licensed premises
- C. The term of the license shall be for one year, commencing January 1st and expiring December 31st of each year.

122-35. License not transferable; display of license.

- A. A license issued under this Article shall not be transferable to any other person or to any other location.
- B. The issued license shall be conspicuously displayed at all times on the licensed premises.

122-36 Age restrictions; proof of age; signage.

- A. No person, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person's establishment, shall sell, offer for sale, distribute for commercial purposes at no cost or minimal cost or with coupons or rebate offers, give or furnish, to a person under ~~19~~ 21 years of age, any electronic smoking or vapor device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, hookah, pipe or device of another form, or any cartridge or other component of the electronic smoking or vapor device or related products.
- B. An electronic smoking or vapor device operation must require proof of age from any customer who is of the appearance of 26 years of age or younger. Proof must come in the form of a valid government issued photo ID.
- C. Signage must be conspicuously posted at the point of display and at the point of sale. The sign must state the following in English with letters no less than 1 inch in size as follows:
 - (1) "A person who sells or offers to sell an electronic smoking or vapor device, components, cartridges or related products to a person under ~~19~~ 21 years of age shall pay a penalty of up to \$1,000 and may be subject to a license suspension or revocation. Proof of age may be required for purchase. Those persons or establishments in violation shall be prosecuted."
 - (2) "Smoking, sampling or using an electronic smoking or vapor device inside this place of business is prohibited by NJ State law. Those establishments or individuals in violation shall be prosecuted."
- D. No electronic smoking or vapor device operation shall offer or allow the smoking or sampling of an electronic smoking or vapor device to anyone who is under ~~19~~ 21 years of age.

122-37. Suspension or revocation of license.

- A. Licenses issued under this chapter may be revoked or suspended by the Township Council, after a public hearing. Reasons for automatic suspension or revocation of an establishment license include but are not limited to the following:
 - (1) Fraud, misrepresentation or false statement in the application for the establishment license.
 - (2) Fraud, misrepresentation or false statement made while operating the licensed business in the Township.
 - (3) Conducting the licensed business within the Township in an unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public.
 - (4) The owner and/or operator or any employee refuses to permit any duly authorized Township Police Officer or health official to inspect the premises or the operations therein.
 - (5) Any violation of this chapter.
- B. In addition to any penalty prescribed, any license under this Article is subject to revocation for violating any provision of this Article or where the operation of the licensed premises is otherwise detrimental to the preservation of health, safety and welfare of the public. The Township Clerk shall serve the licensee with a written

complaint setting forth specifically the grounds of the complaint along with a notice indicating the time and place to appear before the Township Council for a hearing. Such service shall be made by personal service or certified and regular mail at least ten (10) days before the hearing date. The Township Council after such hearing may revoke the license.

- C. Should it be determined that the conduct of the licensee is detrimental to the health, safety and general welfare of the public, such establishment's license may be suspended by the Health Officer or designee and the establishment shall close until all violations are corrected. The Health Officer may also recommend revocation of the license and suspend the license pending the revocation hearing referred to in Section B above. This hearing must be concluded within forty-five (45) days of the date of suspension and closure of the establishment.

122-38. Violations and penalties.

A person who violates the provisions of this Article including the owner of the operation or the employee of the operation who actually sells or otherwise provides an electronic smoking or vapor device or related product to a person under ~~19~~ 21 years of age, shall be liable to a civil penalty of not less than \$250 for the first violation, not less than \$500 for the second violation, and \$1,000 for the third and each subsequent violation.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1311

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS
IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE
TOWNSHIP CODE CHAPTER 71 FEES**

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently provides for the regulation of its Fees in the Township;

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 71 of the Code entitled Fees; and

WHEREAS, the Municipal Council has determined to amend said Chapter of the Code as follows:

71-2 Fees Schedule

Chapter 195 SEWER CONNECTIONS

ARTICLE I

Sewer Connection Regulations

195-7B-Escrow deposit to compensate Township Engineer for engineering services performed in connection with review of plans and specifications and field inspections

As determined by Engineer

ARTICLE II

Sewer Connection Fees

195-11-Filing of application for connection:

Residential use	\$500/residential unit
Commercial or industrial use	\$1,000

195-13-Residential sewer connections

1 to 5 residential units	\$6,000/dwelling unit
6 to 10 residential units	\$5,000/dwelling unit
11 to 20 residential units	\$4,000/dwelling unit
21 to 30 residential units	\$3,000/dwelling unit
31 plus residential units	\$2,500/dwelling unit

195-14-Commercial or industrial sewer connections:

195-14B-Connection fee	\$3/square foot of floor area; minimum \$6,000
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195-14C-Preconnection inspection	\$500
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195-15-Mixed-used premises connections:

Residential unit filing fee	\$500/each, plus costs
Commercial/industrial structure filing fee	\$1,000/each, plus costs
Residential unit connection fee	\$6,000/each, plus charges
Commercial/industrial use connection fee	\$3/square foot, plus charges; minimum \$6,000

Credits are provided by the Township for the existing sewer connections, when calculating the current sewer connection fee.

One-half of each of the sewer connection fees listed above (including for residential, commercial/industrial and mixed-use properties) shall be deposited upon receipt in the Township's General Capital Fund in a special reserve entitled "I&I" dedicated to fund infiltration/inflow repairs and improvements to the Township's sanitary sewer system.

136. XI. Consistency, Severability and Repealer

(A) 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.

(B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

(C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 71 of the Code entitled Fees of the Code of the Township of Little Falls.
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 71 of the Code entitled Fees of the Code shall remain unchanged and have full force and legal effect. All other ordinances enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE NO. 1312

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
AMENDING THE TOWNSHIP CODE CHAPTER 7 ENTITLED TRAFFIC**

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently provide vehicular traffic excluded from certain streets in the Township; and

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 7 entitled Traffic Section 7-17.1 Vehicular Traffic Excluded from Certain Streets as follows;

7-17.1 Vehicular Traffic Excluded from Certain Streets Speed Limits:

- A. Vehicular traffic, except for Township-authorized vehicles performing official functions, is prohibited on the following streets or parts thereof:

Name of Street	Location
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Glen Rock Road	From the intersection of Overlook Road along a southwesterly direction to a point intersecting the northeast boundary line of Block 240.02.
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- B. Any person operating a motor vehicle in violation of Subsection A above shall be subject to a fine of \$50. No appearance in municipal court shall be required for the payment of this fine.

1. The entire section of the Township Code 17-17.1 is hereby repealed.
2. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
3. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1313

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
AMENDING THE TOWNSHIP CODE CHAPTER 7 ENTITLED TRAFFIC**

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently provide vehicular traffic excluded from certain streets in the Township; and

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 7 entitled Traffic Section 7-18 One Way Streets as follows;

7-18 One Way Streets

The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

Name of Street	Direction	
Garrabrant Avenue	South	Location: Between the northwesterly approach of Woodcliff Avenue to the southeasterly approach of Main Street
Ridge Avenue	South	Location: Between the northerly approach of Stanley Street to the southerly approach of Walnut Street
Riker Avenue	North	Location: Between Main Street and Woodcliff Avenue
Stanley Street	East	Location: Between the westerly approach of Stevens Avenue to the easterly approach of Ridge Avenue (not to include Ridge Avenue)
Woodcliffe Avenue	West	Location: Westerly from the intersection of Woodcliffe Avenue in a westerly direction commencing at the intersection of Clarence Avenue where it intersects at Woodcliffe Avenue and running thence westerly to a point where the same intersects with Main Street/Fairfield Road Duration: The one way provision for Woodcliff Avenue shall be in effect on Monday through Friday from 6am to 8pm, prevailing time.

1. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
2. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1314

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, FURTHER AMENDING THE TOWNSHIP OF LITTLE FALLS CODE CHAPTER 7, ARTICLE I, SECTION 7-15, "TRAFFIC, ROUTES FOR TRUCKS OVER THIRTEEN TONS"

WHEREAS, pursuant to *N.J.S.A. 40:67-16.1*, the Township of Little Falls (the "Township") is authorized to adopt a system of truck routes throughout the Township concerning trucks having a total combined gross weight of vehicle plus load, in excess of thirteen (13) tons, from Township streets; and

WHEREAS, pursuant to *N.J.S.A. 46:67-16.2*, no trucks shall be prevented from making deliveries of merchandise or other property along streets from which trucks in excess of thirteen (13) tons are excluded from Township streets; and

WHEREAS, due to concerns regarding the health and safety of motorists and pedestrians in the Township, the municipal council of the Township (the "Municipal Council") seeks to amend the municipal roadways upon which trucks having a total combined gross weight of vehicle plus load in excess of thirteen (13) tons can travel; and

WHEREAS, in furtherance of the proposed amendment to the Township Code of General Ordinances (the "Code") concerning roadways upon which trucks having a total combined gross weight of vehicle plus load in excess of thirteen (13) tons can travel, the Township will submit the proposed ordinance for approval to the Passaic County Traffic Engineer in order to receive the County Traffic Engineer's approval; and

WHEREAS, the Township will subsequently submit the following proposed ordinance for approval to the New Jersey Department of Transportation; and

WHEREAS, the Municipal Council has determined to amend Chapter 7, Article I, Section 7-15 of the Township Code to read as follows;

NOW THEREFORE, BE IT ORDINANED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 7, Article I, Section 7-15 of the Township Code to read as follows:

§7-15 Routes for trucks over thirteen (13) tons

A. A system of truck routes in the Township of Little Falls is hereby established pursuant to the provisions of *N.J.S.A. 40:67-16.1*.

B. All trucks registered at a gross vehicle weight in excess of thirteen tons (26,000 pounds) shall be excluded from all streets in the Township except from those streets designated hereinbelow, which form a part of the system of truck routes upon which trucks are permitted to travel and operate:

Name of Street	Location
Cedar Grove Road <u>[Browertown Road]</u>	Francisco Avenue to the Essex County line <u>[North of the eastbound RT 46 ramp]</u>
East Main Street	Entire length
Lindsley Road	Main Street to the Essex County Line
Lindsley Road	Essex County Line to Cedar Grove Road
Long Hill Road	Browertown Road to Ridge Road <u>[Clove Road]</u>
Long Hill Road (a.k.a. Upper Mountain Avenue)	Clove Road to Essex County Line
Main Street	Entire length
Maple Street	Entire length
McBride Avenue	Entire length

Name of Street	Location
Notch Road	Entire length
Paterson Avenue	Entire length
Ridge Road	Entire length
Stevens Avenue	Entire length
Union Avenue (Boulevard)	Main Street to the Wayne Township Line
Fairfield Road	From Main Street to the Essex County Line

State Roads:	
Route 23	Entire Length
Route 46	Entire Length

C. Signage for truck routes shall be provided by the Township in accordance with N.J.S.A. 40:67-16.4

D. Any violation of this section shall be punishable by a fine of \$125 per offense. No appearance in Municipal Court shall be required for the payment of this fine.

3. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

4. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

5. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

 Cynthia Kraus, Municipal Clerk

 James Belford Damiano, Mayor

ORD. # 1315

TOWNSHIP OF LITTLE FALLS

CALENDAR YEAR 2018

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Little Falls in the County of Passaic finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$121,881 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Little Falls, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Little Falls shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$426,582 and that the CY 2018 municipal budget for the Township of Little Falls be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.