

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1141 -2024

**ORDINANCE AMENDING AND MODIFYING CHAPTER 135 OF THE DEMAREST
BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 135 pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

§ 135-6 Maintenance of grounds.

Maintenance of exterior of premises. The exterior of the premises and all structures thereon shall be kept free of any hazards to the safety of occupants, pedestrians and other persons utilizing the premises, shall be maintained in such a manner as to not cause damage to neighboring properties, and shall be kept free of unsightly or unsanitary conditions. It shall be the duty of the owner or operator to keep the premises free of any condition which causes damage to a neighboring property, hazards and unsightly or unsanitary conditions which include, but are not limited to, the following:

- A. Refuse, rubbish and garbage, as defined herein.
- B. Loose and overhanging objects, including, without limitation, dead and dying trees, accumulations of ice or other similar conditions which, by reason of their location above ground level, constitute a hazard to persons in the vicinity thereof.
- C. Ground surface hazards, including, without limitation, holes, excavations, breaks, projections and obstructions which constitute a hazard to persons using the premises.
- D. Inadequate foundation walls, piers and columns. Foundation walls, piers, columns or similar load-bearing components shall be kept structurally sound, free from defects and damage and capable of bearing imposed loads safely.

E. Unsafe exterior facilities, including, without limitation, exterior porches, landings, balconies, stairs and fire escapes, all of which shall be kept structurally sound and in good repair.

F. Weeds, grass or other plant growth which is noxious or detrimental to public health and safety.

G. Compost piles must be shielded from public view; must be kept free from garbage, offensive odors and rodents; and must be used from season to season.

H. Curblines, where they connect with street paving, shall be kept visible and clear of accumulated dirt and debris.

I. Firewood must be stored in areas other than the front yard.

J. Junk vehicles must not be stored in the front yard or any other area exposed to public view.

K. No person shall keep, store, or park any trailer, boat or motor vehicle on any portion of a front yard or corner lot side yard facing a street or a property designed or used as a residence, except on an area that is paved.

[Added 8-23-2010 by Ord. No. 978]

L. No owner, tenant, manager or occupant of property used as a residence shall allow or suffer another person to keep, store or park any trailer, boat or motor vehicle on any portion of a front yard or corner side yard facing a street, except on an area that is paved.

[Added 8-23-2010 by Ord. No. 978]

M. No owner, tenant or occupant of property shall cause the release, spilling, leaking, pumping, pouring, emitting, emptying or discharge of water from one property to another property, whether public or private, including but not limited to any active discharge such as sump pump outflow, swimming pool emptying and draining piping or any passive discharge (e.g. non-recharged run-off).

1. Increases in stormwater runoff on neighboring properties resulting from construction activities, completed construction, or any other modification to a property beyond natural conditions is prohibited. This includes stormwater runoff from changes in grading, impervious coverages, roof leader pipes, sump pump discharge or other similar improvements. It is the property owner/occupants responsibility to contain stormwater runoff within their own property boundaries.

2. If containment of stormwater runoff within the property is not feasible due to soil conditions, high groundwater or otherwise, direct connections to the municipal storm sewer system or stormwater discharge in the Borough Right of Way may be permitted with the approval of the Borough Engineer. Stormwater piping shall not be directed toward Borough Right of Way without prior approval.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Borough Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:



Julie Falkenstern, Acting Municipal Clerk



Brian Bernstein, Mayor

Introduced: 6/24/24
Adopted: 7/8/24