

**BOROUGH OF HO-HO-KUS
COUNTY OF BERGEN**

ORDINANCE #2019-19

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 85 OF THE HO-HO-KUS BOROUGH CODE ENTITLED
“ZONING ORDINANCE”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 85 of the Code is amended and supplemented as follows:

Section I.

Section 85-58 Violations and Penalties is amended to read as follows:

- A. The owner or user of any building or structure, lot or land or part thereof, who is in violation of this Chapter, and any architect, builder, contractor, agent, person or corporation employed in connection therewith who assists in the commission of such violation shall each be guilty of a separate violation thereof.
- B. Any person or entity who shall violate the terms and provisions of this Chapter shall, upon conviction thereof, be subject to a combination of the following: a fine not exceeding \$1,000.00, imprisonment not to exceed 90 days or a period of community service not exceeding 90 days. Each day upon which a violation continues shall constitute a separate offense.
- C. In addition to the remedies provided for in this section, should an owner, operator or occupant of any premises fail to comply with any order and/or directive of the Zoning Officer within 10 days after notice of such violation, the Zoning Officer may cause such condition to be remedied. In such case, the Zoning Officer may cause such remediation by retaining the services of a contractor, in accordance with applicable laws, and the cost of such remediation shall be paid by the Borough. The expenses incurred by the Borough shall become a charge or lien on such lands and shall be added to and become and form a part of the taxes to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner.

Section II. **Severability.**

If any portion of this ordinance is adjudged unconstitutional or invalid by the Court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section III. **Repealer.**

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section IV. **Effective Date.**

This ordinance shall take effect upon passage and publication as required by law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on January 7, 2019. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 333 Warren Avenue, Ho-Ho-Kus, NJ 07423-1547, in said Borough on January 22, 2019, at 7:30 p.m. at which time and place all interested member of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available at no charge in the Office of the Borough Clerk for members of the general public who may request them.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HO-HO-KUS AT A REGULAR MEETING ON **JANUARY 22, 2019.**

ATTEST: _____ Joan Herve, RMC, Borough Clerk

APPROVED: _____ Thomas W. Randall, Mayor