

**BOROUGH OF OLD TAPPAN
ORDINANCE NO. 1090-15**

AN ORDINANCE AMENDING CHAPTER 45 “LAND USE PROCEDURES” OF THE CODE OF THE BOROUGH OF OLD TAPPAN TO REQUIRE A CONTRIBUTION TO THE SIDEWALK IMPROVEMENT TRUST FUND

BE IT ORDAINED by the Mayor and Council of the Borough of Old Tappan, County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 45 “Land Use Procedures” of the Revised General Ordinances of the Borough of Old Tappan is hereby amended to read as follows:

45-19B. Exception. Subsection B is deleted in its entirety and replaced by the following:

B. Notwithstanding subparagraph A above, the site plan for a proposed new single- or two-family dwelling not part of a subdivision shall also include the planting of shade trees and, if the lot in question has frontage on Orangeburg Road, Central Avenue, DeWolf Road, Old Tappan Road, Washington Avenue North up to Little Mountain Road, Westwood Avenue or Cripplebush Road, the installation of sidewalks; except that the Mayor and Council may, by Resolution, permit a contribution to the Sidewalk Improvement Trust Fund in lieu of installing same. If the lot in question is not located on one of the foregoing streets, the applicant shall contribute to the Sidewalk Improvement Trust Fund in lieu of installing and/or replacing same. Regardless of what street it is located on, if the lot already has a sidewalk the applicant shall contribute to the Sidewalk Improvement Trust fund in lieu of installing and/or replacing same.

Section 2. Repealer. All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 3. Severability. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Governing Body of the Borough of Old Tappan declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.