

TOWNSHIP COUNCIL WORKSHOP AGENDA

MONDAY, OCTOBER 4, 2021

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. 10:4-10 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, NJ ON JULY 22, 2021. A COPY OF THE NOTICE WAS FAXED 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.

THIS MEETING IS BEING CONDUCTED UNDER THE CIRCUMSTANCES SURROUNDING THE COVID-19 HEALTH SITUATION. ONLY 25 MEMBERS OF THE PUBLIC WILL BE ALLOWED TO ATTEND THE MEETING IN PERSON. A LINK AND A TELEPHONE NUMBER TO JOIN THE MEETING VIRTUALLY CAN BE ACCESSED ON THE TOWNSHIP WEBSITE AT WWW.LENJ.COM. ELECTRONIC PROVISIONS HAVE BEEN ESTABLISHED FOR THE PUBLIC TO PARTICIPATE DURING THE PUBLIC COMMENT PORTION OF THE MEETING.

ROLL CALL

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

BREAST CANCER AWARENESS MONTH PROCLAMATION

PROCLAMATION RECOGNIZING ITALIAN HERITAGE MONTH

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.

MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS *6 TO MUTE AND UNMUTE THEMSELVES AND *9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF THE 2020 ANNUAL REPORT OF AUDIT
2. RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE 2020 ANNUAL AUDIT
3. RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF LITTLE FALLS AND NJDOT
4. RESOLUTION AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH NJDOT FOR MAIN STREET STREETScape PROJECT

ACTION ITEMS:

RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF THE 2020 ANNUAL REPORT OF AUDIT [A]

RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE 2020 ANNUAL AUDIT [B]

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A JURISDICTIONAL AGREEMENT WITH NJDOT FOR THE ROUTE 46/ROUTE 3/VALLEY ROAD INTERCHANGE PROJECT [C]

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT WITH NJDOT FOR THE MAIN STREET STREETScape PROJECT [D]

BILL LIST [E]

NEW BUSINESS

PUBLIC HEARING OF ORDINANCE NO. 1417, AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LITTLE FALLS FIRE DIVISION IN THE CODE OF THE TOWNSHIP OF LITTLE FALLS CODE SECTION 3-7.8, ENTITLED, "FIRE DIVISION"".

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1425, AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND AND MODIFY CHAPTER 33 (CANNABIS REGULATION) OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS".

INTRODUCTION OF ORDINANCE NO. 1426, 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 280 ENTITLED, "ZONING" TO ELIMINATE FLOOR AREA RATION REQUIREMENTS FROM THE R1-A, R1-B AND R1-C ZONES", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR NOVEMBER 22, 2021.

INTRODUCTION OF ORDINANCE NO. 1427, 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 280-6 ENTITLED,

"ZONING MAP"", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR NOVEMBER 22, 2021.

COUNCIL TOPICS FOR DISCUSSION

PUBLIC COMMENT - AGENDA ITEMS ONLY

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MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS *6 TO MUTE AND UNMUTE THEMSELVES AND *9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

ADJOURN

RESOLUTION [A] 21-10-04 - # _____

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and, WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit: R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls, hereby states that it has complied with the promulgation of the Local Finance Board of the state of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

APPROVED: _____

I, Cynthia Kraus, Municipal Clerk of the Township of Little Falls, hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Council on October 4, 2021.

Given under my hand and the seal of the Township of Little Falls this 4th day of October, 2021.

Cynthia Kraus, Municipal Clerk

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

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY**

RESOLUTION [B] 21-10-04 - # _____

WHEREAS, the Director of the Division of Local Government Services has formally directed all municipalities to adopt a Corrective Action Plan as part of their annual audit process; and

WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption of the Governing Body and it shall be kept on file with the Township Clerk; and

WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 128 and Local Finance Notice of 92-15; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby approves the attached Corrective Action Plan for the 2020 Annual Audit;

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to maintain said Plan in Township files, available to the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution, including the Corrective Action Plan, be forwarded to the Director of the Division of Local Government Services.

APPROVED: _____

ccc: DLGS
cc: Finance Dept.
Auditor
Dept.

RESOLUTION [C] 21-10-04 - # _____

WHEREAS, the State of New Jersey Department of Transportation has requested that an agreement be entered between the Township of Little Falls and the State of New Jersey, which would allocate the jurisdictional responsibilities for highway maintenance and control between the Township of Little Falls and the State of New Jersey with reference to certain intersections of Route 46/Route 3/Valley Road and streets within the Township; and

WHEREAS, maps outlining the jurisdictional limits of each have been reviewed and approved by the Township of Little Falls.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Little Falls, that the Mayor and Clerk are hereby authorized to execute an agreement between the Township of Little Falls and the State of New Jersey.

Township of Little Falls
Resolution [D] 21-10-04 - # _____

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Main Street Streetscape Project.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of Little Falls formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *LTPF-Little Falls Township-00028* to the New Jersey Department of Transportation on behalf of the Township of Little Falls.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Little Falls and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 4th day of October, 2021

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____ (Clerk) _____ (Mayor)

ORDINANCE NO. 1417

**AN ORDINANCE AMENDING THE LITTLE FALLS
FIRE DIVISION IN THE CODE OF THE
TOWNSHIP OF LITTLE FALLS CODE SECTION 3-7.8 ENTITLED: FIRE DIVISION**

The Township of Little Falls is repealing Code section 3-7.8 in its entirety and replacing code section 3-7.8 as follows:

3-7.8 Fire Division.



Fire Division created. Within the Department of Administration, there is hereby created a Division of Fire, which shall consist of four fire companies with a total of 100 active members to be designated as Rescue Company Number 1 and Engine Companies Nos. 2, 3 and 4, each company with an active membership of not more than 25 members and shall be known as the Little Falls Township Fire Department (Department). Each Company is also authorized to carry 10 auxiliary members per company. The Fire Division may employ such officers, firefighters and other such personnel, subject to the approval of the Mayor and within the limits of available appropriations, to carry out the functions of the Division.

Each Company has ownership of its own Fire House for which the Township pays a rental fee of \$5,700.00 to Company #1, \$4,500.00 to Company #2, \$4,200.00, to Company #3 and \$4,200.00 to Company #4 for storage of Municipal Apparatus and Equipment thru the annual municipal budget. The Township will pay for utilities for the Company owned Fire Houses and generator maintenance thru the annual municipal budget. The Township provides all firematic apparatus and

equipment for use by the Fire Department, including the Department Chief's marked vehicle. Each Company shall provide one Assistant Fire Chief vehicle, owned by the company, for use by its duly elected Assistant Fire Chief, for which the Township will provide gasoline for said company owned vehicle. The Township, at the request of the Company, will provide those insurance coverages integral to the operations of the company under the Townships Master Insurance Program Insurance program offered by the Joint Insurance Fund.

The National Incident Fire Reporting System (NIFRS) will be prepared and managed by the Fire Official. Monthly reports will be provided to the Department Chief for Department files.



The government and management of the Department shall be according to the constitution, bylaws and rules, which shall be adopted by the Fire Department and the individual companies and approved by the Mayor and Governing Body, provided the same shall not be inconsistent with the provisions of this chapter, the Township Policies and procedures, the rules and regulations for the Department which may be adopted from time to time by the Governing Body and approved by the Mayor. The Department shall present the current bylaws, rules and regulations for the Department and individual companies annually to the Township Administrator for approval by the Mayor. Once approved by the Mayor the Township Council shall by formal resolution approve and adopt the Department, and Company Bylaws. The Adopted bylaws shall be kept on file in the office of the Township Clerk.

■
Fire Chief.

(1) Position created. The position of Chief of the Fire Department is hereby created. The Chief of Fire Department (Fire Chief) shall head the Division of Fire and serve under the direction and supervision of the Township Administrator. The Fire Chief shall serve for no more than two consecutive terms. A term shall be defined as three years in accordance with the Department bylaws.

(2) Appointment and election. The Fire Chief shall be elected in accordance with the provisions set forth in this section.

(3) Qualifications. The Fire Chief shall be qualified by training, experience and such certifications/licenses as required by statute and the New Jersey Division of Fire Safety for the duties of his office.

(4) Duties. The Fire Chief shall direct and control the operations of the Fire Department at all fire emergencies and have the following duties:

(a) Prescribe Standard Operating Procedures, rules and regulations subject to the review by the Township Administrator, and approval of the Mayor.

(b) Upon arrival at a fire, enter upon and take charge of any buildings involved or endangered. The Chief's authority while directing the Department members at a fire shall be absolute and the Chief shall, when necessary, at a fire, order a street to be closed or traffic rerouted and may call upon the Police Division for any assistance required.

(c) Control and be responsible for the care and proper operation of all fire apparatus, and equipment.

(d) Purchasing for the Department is administered by the Fire Chief and must comply with the Township purchasing policy and procedures.

(e) Make such recommendations to the Mayor and Administrator for the betterment of the Department as he/she may deem necessary.

(f) Report Department activity to the Administrator monthly, and on an annual basis, the condition of the Department, a record of the fires and the attendance at the fires.

(g) Have the authority to request from any property owner or tenant access to any building for the purpose of conducting a fire pre plan and walk through in order to protect the members of the Department should they be called upon to enter the building during an emergency.

(h) The Fire Chief shall monitor for sufficiency the local water supply and distribution system as it relates to fire fighting and shall inform the Township Administrator of the conditions found and make recommendations for improvements and increased efficiency of the system as conditions may require.

(i) Establish and maintain a training program for all firefighters in the Department

(j) In case of insubordination on the fire ground or at a firematic event, the Fire Chief may order a temporary suspension of a department member for a time not to exceed 5 days. The Fire Chief shall then make a formal report to the Township Administrator. If charges are sustained by the Township Administrator, the suspension will stand as ordered. If the situation requires continued discipline, suspension or termination, the Administrator shall inform the Mayor as to his/her determination. At this time the Township Labor Counsel shall be advised of the matter and will further investigate the situation. If extended

suspension or termination is suggested the action to suspend or expel such member from the Department shall be made by formal letter to the member.

Accusations of criminal conduct or activity or inappropriate actions as identified in the Township of Little Falls personnel policy manual will be brought to the attention of the Township Administrator and addressed in accordance with the Township of Little Falls Personnel Policy Manual standards. The affected member shall have the right to grieve the decision by following the grievance policy steps set forth in the Township's Personnel Policy Manual to resolve this dispute.

(6) Removal of Fire Chief. - The Mayor or the Administrator may remove the Fire Chief for neglect of office, malfeasance, improper conduct or other cause noted in the Township Personnel Policy manual after a proper and independent investigation. The Chief may appeal the Decision in accordance with the procedures set forth in the Township's Personnel Policy Manual.

(7) Absence of Fire Chief. In the absence of the Fire Chief, the next highest-ranking officer among the four Assistant Chiefs shall, temporarily or otherwise, perform all of the duties of the Fire Chief.

D Assistant Chiefs- Four Assistant Chiefs to be designated as First, Second, Third and Fourth Assistant Chiefs.

In the absence of the Fire Chief the Assistant Chiefs shall perform the following duties:

(a) Direct and control the operations of the Fire Department at all fire emergencies and have the following duties:

(b) Upon arrival at a fire, enter upon and take charge of any buildings involved or endangered. The Assistant Chief's authority while directing the Department members at a fire shall be absolute and the Assistant Chief shall, when necessary, at a fire, order a street to be closed or traffic rerouted and may call upon the Police Division for any assistance required.

(c) Control and be responsible for the care and proper operation of all fire apparatus, and equipment.

(d) Make such recommendations to the Fire Chief for the betterment of the Department as he/she may deem necessary.

(e) Make such recommendations to the Fire Chief to request from any property owner or tenant access to any building for the purpose of conducting a fire pre plan and walk through in order to protect the members of the Department should they be called upon to enter the building during an emergency.

(f) Assist the Fire Chief with the Training Program for the Department.

(g) In case of insubordination on the fire ground or at a firematic event, the Assistant Chief may order a temporary suspension of a department member for a time not to exceed 3 days. The Assistant Chief shall then make a formal report to the Township Administrator. If charges are sustained by the Township Administrator, the suspension will stand as ordered.

E. Captain

The Captain of each company shall notify the Department Fire Chief of any firefighter by July 15, of each year who has not attended the required number of meetings, fires, training drills and wash nights during the first 6 months of the year. The Department Fire Chief

Shall Certify to the Township Administrator, in writing, the name of all firefighters who have not attended the required number of meetings, fires, training drills and wash nights during first 6 months of the year. The Administrator shall thereupon notify the members and the Captains of said companies, in writing, that those member have been placed on guarded status. Each Company shall provide its members with a remedial plan to allow them to meet the required standard for membership in good standing over the next six month period. The member may request the Board of Fire Officers review the attendance record and seek reinstatement to full active membership. If the member is not satisfied with the result before the Board of Fire Officers, the member shall follow the grievance policy steps set forth in the Township's Personnel Policy Manual to resolve this dispute.

E. Election of officers

(A) Chief.

[1] In accordance with the provisions of this chapter, the Chief of the Fire Department shall be elected for a term of three years at an annual meeting of the members to be held on the second Thursday of December. The Chief may be elected for no more than two consecutive terms.

[2] The Chief shall hold office for a term of three years, which term shall commence on the date of his election at the meeting.

[3] In the event of the death, resignation or removal of the Chief, the membership of the Fire Department shall hold a special election on the second Thursday next following the death, or the effective date of the resignation or removal, and elect in accordance with the terms hereof another person to fill the

office of the Chief for the unexpired term. The remainder of that term shall not count towards the two consecutive terms that a Chief can hold.

[4] If the membership of the Fire Division shall fail to hold the special election, The First Assistant Chief shall act as the Chief of the Department until expiration of the unexpired term.

[5] If the First Assistant Chief declines to act as the Chief of the Department and no election to fill the position is held, then the Mayor shall appoint a qualified Department member to fill the unexpired term of the Department Chief.

(B) Assistant Chiefs.

[1] Each of the four Assistant Chiefs shall be elected from a different fire company and the fourth Assistant Chief is to be elected from the same fire company of which the Chief of the Fire Division is a member

[2] In the event of the death, resignation or removal of an Assistant Chief, the membership of the Fire Department shall hold a special election on the second Thursday next following the vacancy and elect in accordance with the terms hereof another person to fill the office of Assistant Chief. The vacancy will be filled by the ratification of the company's choice, with the new Assistant Chief becoming the third Assistant Chief, unless replacing the fourth assistant chief, in which case they shall become the fourth assistant chief. All of the other Assistant Chiefs except for the fourth assistant would automatically move up the chain of command.

G Eligibility.

(a) No person shall be eligible to be Chief of the Fire Division who has not served at least three years as an Assistant Chief, unless no member qualifies for the position, in which case the next three Assistant Chief's with the most years of Assistant Chief service shall be eligible.

(b) No person shall be eligible to be an Assistant Chief of the Fire Division who has not served at least two years as Captain of one of the four fire companies established in the Township.

(c) All other officers of the Fire Department must be members in good standing at the time of election and shall be elected in accordance with the provisions of the applicable Company and Department bylaws.

(d) No person shall be eligible to be a Department or Company Line officer who has not served three years as an active fire fighter.

H Election under direction of The Township Clerk and the Township Administrator.

(a) The election of all officers of the Fire Division shall be under the direction of the Township Clerk and/or Deputy Clerk, and the Township Administrator, and the election shall be by secret written ballot. The Township Clerk will oversee the casting and collection of ballots as the roll for eligible voters is called by the Secretary of the Fire Division. The Sergeant-at-Arms shall assist in maintaining an orderly and accurate voting process.

(b) No member of the Fire Department shall be eligible to vote unless they have served at least six months as an active member of the Department.

(c) The results of any election shall be reported to the Governing Body by the Township Clerk at the next Township Council Meeting

■ Rejection by the Mayor

(a) The Mayor may reject any person who has been elected Chief or Assistant Chief for cause.

(b) In the event of rejection of the officer as provided herein, the membership of the Fire Department shall hold a special election on the second Thursday next following the date of the rejection by the Mayor and shall elect in accordance with the terms hereof another person to fill the office of the persons rejected by the Mayor. If the membership of the Fire Department shall fail to hold the special election, then, and in that event, the Mayor, shall fill and appoint a qualified member to the unexpired term of office.

■ Board of Fire Officers.

(a) Composition. The Department Chief, and the four Assistant Chiefs shall constitute a Board of Fire Officers. The Captains of each Company shall serve as alternates to the Board. If an Assistant Chief is unable to attend a meeting of the Board, the Captain of the respective Company shall attend and vote as an alternate member. The Board of Fire Officers shall meet at least once in each quarter. The Board will be primarily responsible for framing the ongoing vision of the Township's emergency Fire response system. The Board will serve to ensure transparency and coordinate with the Township Administration to develop recommendations for a plan to maintain the Fire response system in the

Township of Little Falls. The Board of Fire Officers shall advise and consult with the Fire Chief on matters affecting the welfare and morale of the Department members.

(b) Presiding officer. The Department Chief shall be the presiding officer and designate one of the members of the Board to act as Secretary and keep minutes of the meetings.

(c) The minutes of the meetings of the Board of Fire Officers will be maintained as permanent record of the Fire Department. A copy of said record shall be forwarded to the Township Clerk to keep on file as a permanent record of the Township.

Company Officers.

(1) Election of Officers. Before the second Thursday in December in each year, each fire company shall elect an Assistant Chief, Captain, First Lieutenant and Second Lieutenant, all of which must be a members in good standing and meet the eligibility requirements established by the Department and Company bylaws at the time of the election, and report the result of the election to the Chief and the President of the Department at the annual Department meeting. Company Officers terms shall commence the second Thursday in December and run until the following year's second Thursday in December.

(2) Duties of Captain.

(a) The Captain of each company shall have full charge of the company, apparatus and equipment under the direction of the Company Chief and shall keep records of fires, drills, and attendance of his members at all meetings, drills, training and fire calls and furnish the Department Chief with a copy on or before the 15th of the following month.

(b) The Captain shall by November 15th of each year furnish the Department Chief with an inventory of all apparatus and equipment assigned to the respective company by the Township and a separate report of company-owned equipment used by the Department.

(3) Duties of Lieutenants. The Lieutenants shall assist the Captain and in the Captain's absence assume the duties of the Captain.

IV. Membership.

(1) Composition. The 100 authorized members of the Department shall be the active members of the four companies, each of which may admit new members, in accordance with the authorized strength defined herein, according to each company's bylaws, to the extent that the bylaws do not conflict with this section. The Department may also carry up to 40 auxiliary members, 10 from each company.

(2) Compensation. The member may receive such compensation for extraordinary services rendered as is provided by the Mayor and Governing Body.

(3) Eligibility and qualifications.

(a) All applicants for membership shall be between the age of 18 and the state maximum permitted age and be a resident of the Township or an immediately bordering municipality when accepted as a member of a Company.

(b) Each applicant shall file a written application in duplicate on a form to be provided by the Department, one copy of which shall be filed with the Township Clerk who shall maintain a list of Members of the Little Falls Fire Department, once the applicant has been accepted as a member of the Company, the Company secretary will provide a letter to the Township Clerk stating that the member has been accepted along with the effective date of membership.

(c) Each application shall be accompanied by a certificate from the health care provider clearing the applicant for attendance at the Fire Academy/or Fire and certifying that the health care provider has examined the applicant and is of the opinion that the applicant is physically fit to perform the duties of a fire fighter.

(d) All applicants must obtain and maintain a Firefighter 1 certificate from the New Jersey Division within 2 years of becoming an auxiliary member.

(e) All members must comply with Department training requirements established by the Department Chief. The Division training requirements shall be sent to the Township Administrator for approval.

(f) To remain a member of the Fire Department, a member shall be in good standing in accordance with the approved by-laws of the fire company to which the member belongs. Each member shall be afforded the opportunity to be a member in good standing by attending and participating Company meetings, training drills, and wash nights.

(g) A member who resigns or is expelled from a particular company may join another Company if approved by the members of the other Fire Company in accordance with their By-Laws. The Board of Fire Officers may review the decision made by the company accepting the member only in terms of allocating the proper manpower in order to keep each company viable for fire response. This decision may be appealed to the Township Administrator by the Company accepting the new member. The Decision of the Administrator shall be final and not subject to appeal.

(h) No member shall be permitted to transfer from one company to another unless the transfer shall be acceptable to both companies involved. The Board of Fire Officers may review the decision made by the company accepting the member only in terms of allocating the proper manpower in order to keep each company viable for fire response. This decision may be appealed to the Township Administrator by the Company accepting the new member. The Decision of the Administrator shall be final and not subject to appeal.

(4) Duties:

(a) Upon an alarm of fire or emergency, it shall be the duty of the members of the Department to report immediately to their respective firehouses and convey their apparatus to the place of the fire or emergency, or report directly to the fire or emergency if the apparatus has already left, and perform any duty that may be required of them by the officer in charge at the scene. They shall remain on duty until relieved by order of the Chief.

(5) Auxiliary firefighters. A Firefighter's Auxiliary to the Fire Department is hereby established, which shall be subject to the following provisions:

(a) Each auxiliary firefighter shall be at least 18 years old and assigned to one of the four fire companies in the Township.

(b) Auxiliary firefighters shall have no voting powers nor hold any offices within the Fire Department.

(c) The status and assignment of auxiliary firefighters shall be under the control of the applicable fire company Captains and Company Chief.

(d) Auxiliary firefighters will have no seniority and will have no line number in the Fire Department.

(e) Auxiliary firefighters shall, based upon their level of ability and training, participate at all Company meetings, training drills, and wash nights and at fires and emergencies scenes at the direction of their Company Officers.

(f) Any auxiliary firefighter who wishes to move to active membership must complete all requirements established by the applicable fire company bylaws and Fire Department bylaws.

VI Exempt certificates.

Each member of the Department who has performed not less than 60% of required duty for seven years shall be entitled to an Exempt certificate in compliance with the New Jersey Statutes 40A:14-56 et.al. thereof, signed by the Mayor, the Township Clerk and the Department Fire Chief and shall be entitled to wear such badge as shall be designated by the Mayor and shall be considered an exempt member of the Fire Department. Copy of each members exempt certificate shall be filed with the Township Clerk.

N Interference with Fire Department

No person shall interfere with, impede or delay any fire apparatus in any manner, nor willfully drive or cause any vehicle to be driven over any hose, or other fire apparatus or equipment, nor in any manner willfully damage, deface or injure any apparatus, hose or equipment, nor give or cause to be given any false alarm of fire, nor meddle with, injure or destroy any of the property belonging to the Township of Little Falls Fire Department or any fire company.

O

Removal of fire apparatus from the Township. No fire apparatus shall be taken outside of the limits of the Township for fire or emergency duty without order of the Chief or Acting Chief, nor for any other purpose without approval of the Department Chief and Notification by the Department Chief to the Township Administrator.

P

Junior Firefighter's Auxiliary. A Junior Firefighter's Auxiliary to the Fire Department is hereby created and shall be subject to the following provisions:

- (1) Each junior firefighter shall be at least 16 years old, but not more than 18 years old, and assigned to one of the four fire companies in the Township.
- (2) Junior firefighters shall have no voting powers nor hold any offices in the Fire Department.

(3) The use of junior firefighters for any task within the Fire Department shall be governed by the applicable state laws, regulations and/or guidelines.

(4) Junior firefighters shall be under the control and direction of the fire company Captains and Chief.

(5) Applicants must be residents of the Township, complete the standard application form and have a medical examination completed by the Township.

(6) Each junior firefighter, while enrolled in school or college, must provide his or her report card to his or her fire company Chief and/or Captain indicating that he or she has maintained a "C" average. In the event the grade average of said Junior Firefighter falls below a "C," the junior firefighter will be subject to disciplinary action or dismissal after evaluation by the Board of Fire Officers, who shall have final authority as to the dismissal of said junior firefighter.

(7) Any activities undertaken by a junior firefighter shall be governed by the laws of the State of New Jersey, including, without limitation, the New Jersey Department of Labor Workers Compensation Law, New Jersey Child Labor Laws, New Jersey PEOSHA 12:100 and those state laws governing the establishment of a Junior Firemen's Auxiliary, eligibility for membership, and rules and regulations governing activities of a Junior Firemen's Auxiliary (N.J.S.A. 40A:14-95 through N.J.S.A. 40A:14-98).

(8) Junior firefighter activities and participation shall be governed by the applicable Township of Little Falls Fire Department-

(9) The Fire Department shall provide the junior firefighter with personal protective equipment meeting the current New Jersey PEOSHA requirements promulgated under N.J.A.C. 12:100-10, standards for firefighters.

(10) Junior firefighters may respond to alarms only under direct supervision and be permitted to assist in Fire Department operations. They shall not be permitted to drive any fire apparatus.

(11) Junior firefighters shall not engage in interior structural firefighting nor any hazardous material incident operations. They shall not be exposed to an emergency environment where self-contained breathing apparatus may be required. For purposes of this subsection, an emergency environment where self-contained breathing apparatus may be required shall include, but not be limited to: heat, toxic gases, smoke, interior structural firefighting, hazardous material incidents, confined space or below grade operations, oxygen-deficient atmospheres, and/or other products of combustion.

(12) Junior firefighters shall not be permitted to operate certain equipment, including but not limited to the following: jaws of life, chain saws, vent saws, come-along fire extinguishers and air chisels. Junior firefighters may operate the following equipment: porta power, flares, oxygen, suction unit or seatbelt cutters.

(13) Training provided to junior firefighters shall meet the Uniform Fire Code and State of New Jersey Standards for Fire Training and Certification promulgated under N.J.A.C. 5:18C.

(14) Junior firefighters shall not be permitted to carry and/or operate blue warning lights.

LOSAP

Emergency Services Volunteer Defined Contribution Program.

(1) A defined contribution program known as a Length of Service Award Program (LOSAP) is hereby established pursuant to N.J.S.A. 40A: 14-183 et seq. for the benefit of the active volunteer members of the emergency services organization operating under the Township's jurisdiction, which is the Township of Little Falls Volunteer Fire Department.

(2) The program shall provide for annual contributions to a deferred income account for each active volunteer member of the aforesaid emergency services organization that meets the criteria set forth below, such contributions being made in accordance with the plan established by the Township of Little Falls pursuant to N.J.S.A. 40A:14-183 et seq., such plan being administered in accordance with the laws of the State of New Jersey, this subsection and any applicable rules of the Internal Revenue Service. The Township Council shall sponsor a responsible fiduciary for the administration of said plan and the investment and accounting for the funds maintained hereunder.

(3) The proposed estimated total amount to be budgeted for the program shall be \$115,000, based upon a maximum of 100 qualifying volunteers.

(4) The proposed maximum annual Township contribution for an active volunteer shall be \$1,350. Subject to the adoption of the within program, the maximum annual contribution may be increased from time to time by application of the consumer price index factor as provided by the state and upon the approval of the Director of the Division of Local Government Services.

(5) An active volunteer member shall be eligible to participate in the Length of Service Award Program immediately upon the commencement of the active volunteer member's performance of active emergency services in the Township's emergency services organization. Members who have served for a year or part of a year and have earned sufficient points to gain a

monetary reward to their deferred income account shall be considered to have vesting rights from that time forward for all LOSAP contributions. Vested members shall be able to withdraw the deposited funds at any time in accordance with current IRS rules, New Jersey state laws and applicable rules established by the plan's fiduciary administrator. In the event of the death of a volunteer member who is vested, contributions made to the member's account shall be distributed to the member's immediate family in accordance with current IRS rules and New Jersey state laws.

(6) A year of active emergency service commencing after the establishment of the program should be credited for each calendar year in which an active volunteer member accumulates at least 30 points that are granted in accordance with the following schedules. Annual contributions shall be made to each eligible member in accordance with the following schedules.

(a) Point system: Sixty-point annual goal for maximum contribution points may be earned as either all fire call points or a combination of fire call points and activity points.

No more than 24 activity points shall be earned annually. Fire calls earn 0.3 points each.

Fire Calls Earned Points

50	15
100	30
150	45
	60

(b) Annual twenty-four point maximum for activities as detailed below:

Activities	Points Per	Max Yearly Points
Companies drill	1	12
Division drills	2	8

Activities	Points Per	Max Yearly Points
Division meetings	1	4
Engineer certification*	5	5
Truck certification*	5	5
Firematic training	5	10
Memorial Day parade	5	5
Line and Company officer**	15	15
Company admin. officer**	15	15
Dept. admin. officer**	15	15
EMT training***	20	12

* Members must qualify every year.

** Member can only get credit for one position a year and must serve eight months in a calendar year.

*** Member can only get credit in year certification was obtained.

(c) Additional activity points shall be credited for accumulated years with the Little

Falls Fire Division as follows:

Years Points

1 to 5 1

6 to 10 3

Years Points

11 to 15 6

16 to 20 10

(d) Percentage of maximum annual contributions to be paid based upon points accumulated annually.

Points Accumulated Annually % of Maximum Annual Contribution to be Paid

60 or more	100%
50 to 59	75%
40 to 49	50%
30 to 39	25%
Less than 30 points	0%

(7) The crediting of prior years' service shall be solely in accordance with the above schedule. The determination of number of years' credit for each participant shall be made in accordance with the provisions of the state statutes. In no event shall the total amount exceed the maximum amount allowed by law.

(8) In computing credit for those active volunteer members who also serve as paid employees within the local government unit of the state, credit shall not be given for activities performed during the individual's regularly assigned work periods.

(9) The participating emergency services organization shall maintain all required records on forms prescribed by the requirements of the service award program and shall comply with all statutory provisions concerning the Length of Service Award Program. Each year the participating emergency services organization shall furnish to the Township Clerk an annual certification list,

certified under oath, of all volunteer members, which shall identify those active volunteer members who have qualified for credit under the award program for the previous year. A volunteer member may request in writing that the member's name be deleted from the lists as participant in the program in accordance with state statute. The Township shall review the annual certification list and approve the final annual certification. The approved list of active certified volunteer members shall then be returned to each participating emergency services organization and posted for at least 30 days for review by members. The emergency services organization shall provide any information concerning the annual certification list that the Township shall require as part of its review.

(10) All records shall be maintained, updated and submitted on a monthly basis, by the emergency services organization, to the Chief Financial Officer of the Township.

Severability.

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.

Repealer and Merger.

All Township ordinances and parts or ordinances inconsistent with this ordinance are hereby repealed.

Section 7 - Effective Date.

This ordinance shall take effect upon its final passage by the Township Council.

DATE INTRODUCED: _____

DATE ADOPTED: _____

APPROVE:

James Belford Damiano, MAYOR

ATTEST:

Cynthia Kraus, TOWNSHIP CLERK

ORDINANCE NO. 1426

**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 280 ENTITLED ZONING
TO ELIMINATE THE FLOOR AREA RATIO REQUIREMENTS
FROM THE R1-A, R1-B AND R1-C ZONES**

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 the regulation of development throughout the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 280 to eliminate the Floor Area Ratio requirements from the R1-A,R1-B and R1-C Zones in the Township of Little Falls and the corresponding Schedules of Use Area and Bulk Regulations attached to this Ordinance; and

WHEREAS, it has been determined that the following changes to the Zoning code in the Township of Little Falls will eliminate the Floor Area Ratio from the R1-A, R1-B and R1-C zones:

Chapter 280. Zoning

Article II. Definitions

§ 280-4. Specific definitions.

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

ACCESS DRIVES

Those drives leading to and from the interior roads and parking areas.

ACCESSORY

The term applied to a building or use which is clearly incidental or subordinate to the principal building or use and located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of such principal building in applying the bulk regulations to such accessory building.

ALTERATION

A change or rearrangement in the structural parts or in the existing facilities or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

ARTISANAL WORKSHOP

Shops of special trade, including the small-scale manufacturing, compounding, assembly, processing, packaging or similar treatment of such products as: baked goods, candy, ceramics, pottery, china, weaving and other textile arts, painting, woodworking and other artistic endeavors and similar trades. Retail sales on the premises of products made on the premises are required.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

AUTOMOBILE LAUNDRY

A building or premises where automobiles are washed either by automatic equipment or by hand.

BRACKET

A projection from a vertical surface providing support under cornices, balconies, window frames, etc. They can be structural or decorative.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

BUILDING

Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and which has a roof and is permanently affixed to the land.

BUILDING COVERAGE

The ratio of the horizontal area measured from the exterior surface of the exterior walls of the first story of the principle building on a lot to the total lot area. Accessory structures attached to the principle structure shall be excluded from the calculation of building coverage.

BUILDING, DETACHED

A building surrounded by open space on the same lot.

BUILDING, FULLY ENCLOSED

A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior or party walls, pierced only by windows and normal entrance or exit doors.

BUILDING, HEIGHT

~~The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, to the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roof.~~

The vertical distance measured from the average elevation of the finished grade, six feet from every side of the structure to the highest point of a flat roof; to the deck line of a mansard roof and to the midpoint below the highest peak on a gable sloped or hip roof.

BUILDING, PRINCIPAL

A non-accessory building in which a principal permitted use of the lot on which it is located is conducted.

BULK

The volume and shape of a building or of a nonbuilding use in relation to lot lines, center lines of streets, other buildings and all open spaces appurtenant to a building or a nonbuilding use.

BULK, NONCONFORMING

That part of a building or nonbuilding use which does not conform to one or more of the applicable bulk regulations prescribing the maximum floor area ratio, maximum height per foot of distance from each lot line, length, or height of a building or nonbuilding use, or the minimum lot area per dwelling unit, lot frontage, yards, courts, required spacing between detached buildings on the same lot and usable open space on the lot for the district in which such building or nonbuilding use is located.

CONSTRUCTION OFFICIAL

The state-licensed code enforcement official responsible for administering the Uniform Construction Code within the Township of Little Falls. See Chapter 3, Administration of Government, § 3-7.4.

CORNICE

A projecting ornamental molding along the top of a building or wall.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

CORNICE LINE

A continuous horizontal cornice feature that provides a vertical break within the facade and/or defines the roofline along the top of the building.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

COVERAGE

That percentage of the plot or lot area covered by the building area.

COVERAGE BY ABOVE GRADE STRUCTURES

The combined area of all buildings and other above-grade structures on a lot, including but not limited to porches, decks, balconies and cantilevered parts of the building at any level, but excluding however, cornices, eaves and other structures which are specifically excluded by this chapter

DRIVE-IN FOOD ESTABLISHMENT

Those establishments which sell food outside the confines of a building to persons in motor vehicles, but shall not preclude drive-through windows where the retail business may be conducted through a window or other aperture of the building to persons in motor vehicles as an adjunct to the retail business conducted within the building, but where, however, consumption of the food thereby dispensed shall not be permitted on the premises upon which the building is located. In order to meet the definitional requirement of this subsection, an applicant for the drive-in facility shall attach to the application an affidavit representing that consumption of the food thereby dispensed shall not be permitted on the premises on which the building is located. The applicant shall further include with the affidavit a statement that if the building permit is issued for a facility which includes drive-through windows, the owner of the property on which the facility is located will cause to be filed in the office of the Register of Deeds of Passaic County an appropriate restriction which shall be binding upon all purchasers and successors in title.

DWELLING

A building or portion thereof, but not an automobile house trailer, designed or used exclusively for residential occupancy, including one-family dwellings, two-family dwellings, and multiple-family dwellings, but not including hotels.

DWELLING, MULTIPLE-FAMILY

A building, or portion thereof, containing three or more dwelling units.

DWELLING, ONE-FAMILY

A building designed or used exclusively for occupancy by one family and including one-family detached dwellings and group houses.

DWELLING, TWO-FAMILY

A building designed or used exclusively for occupancy by two families.

DWELLING UNIT

One or more rooms in a residential building which are arranged, designed, used or intended for use as living quarters for one family ~~and up to two roomers.~~

EASEMENT, CONSERVATION

The grant of a property right requiring that the described land will remain in its existing natural state in perpetuity.

EASEMENT, DRAINAGE

Land required for the installation of stormwater sewers or drainage ditches and/or required for the preservation or maintenance of a natural stream or watercourse or other drainage facility.

FAMILY

Persons living together as a single nonprofit housekeeping unit, living and cooking together, whose relationship exhibits a kind of stability, permanency and functional lifestyle which is equivalent to that of the traditional family unit, as distinguished from fraternities and sororities, societies, clubs, associations, lodges, halfway houses, shelters and other forms of specialized communal living of a transient nature.

FILLING STATION

See "motor vehicle service station."

FLOODPLAIN

The area designated by FEMA and shown on the most current Flood Insurance Rate Map (FIRM) to be in a special flood hazard area.

[Added 5-21-2012 by Ord. No. 1156]

FLOODPLAIN ELEVATION

The height of expected flood levels above mean sea level (per North American Vertical Datum 1988) for a particular location as shown on the most current FIRM maps by FEMA.

[Added 5-21-2012 by Ord. No. 1156]

FLOODPLAIN OVERLAY

The residential development area designated by FEMA FIRM maps as special flood hazard areas which shall overlay all zoning boundaries within the Township.

[Added 5-21-2012 by Ord. No. 1156]

FLOOR AREA OF BUILDING

See "gross floor area."

FLOOR AREA RATIO

The ratio of a building's gross floor area to the area of the lot on which the building is located.

[Amended 8-10-2015 by Ord. No. 1224; 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

FRONT LOT LINE COVERAGE

The width of the building's primary facade measured at the maximum permitted front setback as a percentage of the width of the front street property line.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

GARAGE, PRIVATE

An enclosed space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one car is rented to a nonresident of the premises.

GARAGE, PUBLIC

Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repairs, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.

GROSS FLOOR AREA

The sum of the gross horizontal area of all floors of a building and its accessory buildings (on the same lot). Gross floor area does not include cellars, basements, attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts, but the area under roofed porches and roofed terraces shall be included. All dimensions shall be measured between exterior faces of walls.

[Amended 8-10-2015 by Ord. No. 1224; 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

GROUND FLOOR AREA

The first story of the principle building other than a cellar or basement measured from the exterior surface of the exterior walls.

HOME OCCUPATION

A permitted commercial activity conducted entirely within a residential dwelling unit and conducted by members of the family residing therein with no more than one employee, unless otherwise prohibited. The occupational use shall be clearly incidental and accessory to the residential use of the dwelling in a residential zone, does not change the residential character of the dwelling and is in accordance with the provisions of this chapter, unless otherwise prohibited.

HOTEL

A building which has a common entrance or entrances and contains living and sleeping accommodations for 10 or more persons, for hire.

HOTEL, APARTMENT

A hotel which contains dwelling units, or dwelling units and lodging rooms, and in which at least 50% of the gross floor area devoted to residential use shall be allocated to such dwelling units.

IMPERVIOUS COVERAGE

The building area plus the area of any impervious surfaces, including walks, driveways, patios, above and below ground swimming pools, steps, decks, and any other area that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

IMPROVEMENT COVERAGE

The coverage by all buildings and other above-grade structures on a lot as defined by this chapter, plus the coverage of any other structures, including but not limited to driveways, sidewalks, patios, deck, swimming pools, tennis courts, parking areas and other paved areas, whether constructed of asphalt, concrete, brick, stone, gravel or other paving materials susceptible to impaction, but excluding structures, or portions of structures, that are located below the surface of the ground and which are not visible from above the surface of the ground. (Thus, subsurface structures such as dry wells, underground tanks, etc., are excluded from such coverage, whereas swimming pools, which may be located below the surface of the ground, but which are visible from above the surface of the ground, are not excluded.) This definition is intended to include all man-made features except vegetation, organic mulch, soil (including soil retained by retaining walls) and structures that may be specifically excluded by this chapter.

JUNKYARD

An area of land with or without buildings used or occupied for the deposit, collection or the storage outside of a completely enclosed building of used and discarded materials such as waste paper, rags or scrap metal, used building materials, house furnishings, machinery, vehicles, or parts thereof, etc., with or without the dismantling, processing, salvage, sale or other use or disposition of the same. A deposit or the storage on a lot of two or more wrecked or broken down vehicles or parts of two or more such vehicles for one month or more in a residential district or for three months or more in any other district in the Township shall be deemed to be a junkyard.

LOT

One or more contiguous parcels of land united by a common interest or use considered as a unit, occupied by a principal building or use and its accessory buildings and uses, if any, including the open spaces of such unit of land. It may or may not coincide with the deed description thereof or the boundaries of the same as shown on the Tax Assessment Map of the Township or a map filed for record or otherwise.

LOT, CORNER

A lot fronting on two or more streets at their intersection. The minimum front yard setback shall be maintained on both frontages.

LOT, DEPTH OF

The average distance measured from the front lot line to the rear lot line.

LOT FRONTAGE

The horizontal distance measured along the full length of the front lot line.

LOT LINE

A boundary line of a lot.

LOT LINE, FRONT

That boundary of a lot which is along an existing or dedicated public street or, where no public streets exist, is along a public way. The front yard for a corner lot shall be the longer dimension of the lot unless relief is granted by the Planning Board.

LOT LINE, REAR

That boundary of a lot which is most distant from and is most nearly parallel to the front lot line.

LOT LINE, SIDE

Any boundary of a lot which is not a front lot line or a rear lot line.

LOT, THROUGH

A lot that fronts on two parallel streets or that front on two streets that do not intersect at the boundaries of the lot. When determining the street frontages the applicant shall designate the front of the structure, and then the opposite yard shall be considered the rear yard.

LOT WIDTH

The horizontal distance between the side lines of a lot measured at the right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.

METEOROLOGICAL TOWER or MET TOWER

A structure designed to support the gathering of wind energy resource data, and includes the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

[Added 10-17-2016 by Ord. No. 1246]

MIXED-USE BUILDING

A building of two or more stories comprised of retail/commercial/office located on the ground floor and other permitted uses on the upper floors. The TV-CBD and TV-MD shall only permit residential uses on upper floors.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

MOTOR VEHICLE SERVICE STATION

Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing such motor vehicles.

NONBUILDING USE

A use, generally a principal permitted use of land, to which the buildings on the lot, if any, are accessory, such as an advertising sign, trailer camp, or an open storage yard for materials or equipment and on which the buildings, if any, may be used for processing the materials stored in such yard, for storage of the more valuable equipment and materials than that generally stored in the open, or as an office or place of shelter for the keeper of the yard.

NONCONFORMING STRUCTURE

A structure which conforms to the use regulations of this chapter but which violates one or more of the applicable bulk regulations; also a structure which occupies a lot which does not meet one or more of the requirements regarding off-street parking or loading, fences, walls or signs.

NONCONFORMING USE

Any use of land, buildings, or structures which does not comply with all the regulations of this chapter governing use for the zoning district in which such use is located.

OWNER

An individual or entity that intends to own and operate the small wind energy system in accordance with this section.

[Added 10-17-2016 by Ord. No. 1246]

PARKING DECK

A building, or portion thereof, designed exclusively for the purpose of short-term parking or storing of automobiles and not for automobile repairs or service work. This does not include residential garages utilized in single-family detached or townhome uses.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

PARKING GARAGE

Shall reference the definition of "parking deck."

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

PARKING SPACE

An off-street space accessible and available for the parking of one motor vehicle and having dimensions of at least 10 feet by 20 feet, or as otherwise provided in the Residential Site Improvement Standards. In computing the number of spaces in any given parking area, a total of 300 square feet, inclusive of passageways and aisles, shall be used, or as otherwise provided in the Residential Site Improvement Standards.

PARKING STRUCTURE

Shall reference the definition of "parking deck."

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

PERFORMANCE STANDARD

A criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, and glare or heat generated by or inherent in uses of land or buildings.

PERSONAL SERVICES

Specialized services purchased frequently by the consumer, including barbershops, beauty shops, spas, laundry cleaning, tailoring, shoe repair, and other similar establishments.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

PLANNING BOARD

The Board duly appointed by the governing body to serve in accordance with the provisions of the Municipal Land Use Law and having all of the rights conveyed in this code to serve in such capacity.

RESIDENTIAL SITE IMPROVEMENT STANDARD (RSIS)

This refers to New Jersey Administrative Code Title 5, Chapter 21, entitled "Residential Site Improvement Standards," as promulgated by the Commissioner of the Department of Community Affairs pursuant to the authority of Public Law 1993, Chapter 32 (N.J.S.A. 40:55D-40.1 et seq.), and commonly referred to as the "RSIS standards." All references shall be to latest issue unless otherwise noted.

ROTOR DIAMETER

The cross-sectional dimension of the circle swept by the rotating blades of a wind-powered energy generator.

[Added 10-17-2016 by Ord. No. 1246]

SHARED PARKING

Joint utilization of a parking area for more than one use, either on site or between nearby properties, through a dedicated arrangement (if possible), in order to fulfill their individual parking requirements because their peak-period parking demands, such as entertainment and office uses, do not overlap.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

SMALL ENERGY SYSTEM

A wind energy system that is used to generate electricity and has a nameplate capacity of 100 kilowatts or less.

[Added 10-17-2016 by Ord. No. 1246]

SOLAR ENERGY SYSTEM

An energy system which converts solar energy to usable thermal, mechanical, chemical or electrical energy through the use of a solar panel or solar panel array and associated equipment.

[Added 10-17-2016 by Ord. No. 1245]

SOLAR PANEL

A photovoltaic panel, or solar shingle or hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

[Added 10-17-2016 by Ord. No. 1245]

SOLAR PANEL ARRAY

A collection of multiple solar panels mounted or arranged together, providing energy to the same primary user, as part of a solar energy system.

[Added 10-17-2016 by Ord. No. 1245]

STORY

That portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. A basement shall be counted as a story for the purpose of this chapter when the basement ceiling is greater than five feet above the average grade.

STORY, HALF

Habitable space under a sloping roof that has the line of intersection of the roof and the wall face not more than three feet above the floor level and in which the possible floor area with headroom of 6.5 feet or more occupies no more than 50% of the total floor area of the story directly beneath.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

STREET

An existing state, county or municipal road, or a street shown upon a plat approved by the Planning Board of the Township, or a street on a plat duly filed and recorded in the office of the County Clerk prior to the creation of such Planning Board and the grant to such Planning Board of the power to approve plats.

STREETSCAPE

The streetscape is composed of travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians, as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

TOTAL HEIGHT

In relation to a wind energy system, the vertical distance from the ground to the tip of a wind generator blade when the tip is at its highest point.

[Added 10-17-2016 by Ord. No. 1246]

TOTAL ROOF-MOUNTED STRUCTURE HEIGHT

The highest point above the main roof structure, not including architectural features such as a chimney, cupola and similar type features, reached by a rotor blade in the vertical position, or any other part of the structure.

[Added 10-17-2016 by Ord. No. 1246]

TOWER

A monopole, freestanding, or guyed structure that supports a wind generator.

[Added 10-17-2016 by Ord. No. 1246]

TRANSIT-ORIENTED DEVELOPMENT (TOD)

A development approach characterized by higher density, mixed uses, a safe and attractive pedestrian environment, reduced surface parking, and direct and convenient access to a transit facility.

[Added 8-10-2015 by Ord. No. 1224; amended 11-28-2016 by Ord. No. 1270; 3-27-2017 by Ord. No. 1284]

USE, CONDITIONAL

A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter and upon the issuance of an authorization therefor by the Planning Board.

USE, PERMITTED

See "use, principal permitted."

USE, PRINCIPAL PERMITTED

The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained; any use designated as a principal permitted use in this chapter. All required certificates and permits shall be issued without any administrative discretion on the part of any elected or appointed official or duly constituted board, provided the use complies with all requirements of this chapter.

WIND ENERGY SYSTEM

A wind generator and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component necessary to fully utilize the wind generator.

[Added 10-17-2016 by Ord. No. 1246]

WIND GENERATOR

Equipment that converts energy from the wind into electricity. This term includes the rotor, blades and associated mechanical and electrical conversion components necessary to generate, store and/or transfer energy.
 [Added 10-17-2016 by Ord. No. 1246]

YARD

The space on a lot extending along a lot line between such lot line and a principal building or buildings, or nonbuilding use occupying such lot.

YARD, FRONT

A yard extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line. Covered porches, whether enclosed or unenclosed, shall be considered as a part of the main building and shall not project into a required front yard unless otherwise permitted by this chapter.

YARD, REAR

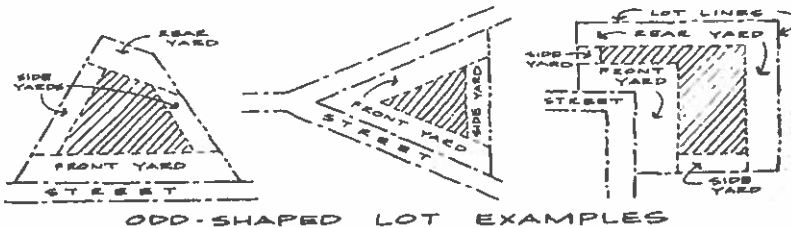
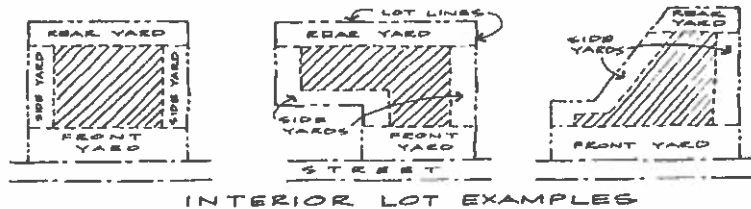
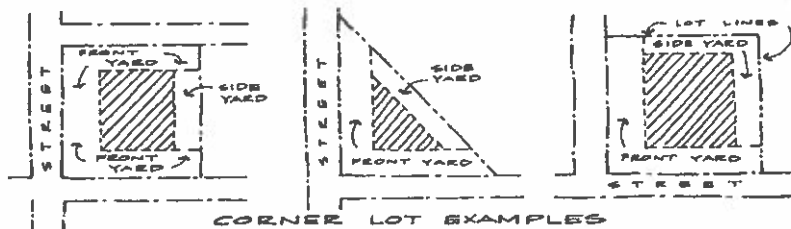
A yard extending the full width of the lot and situated between the rear line of the building and the rear line of the lot.

YARD SETBACK

That portion of a yard which is required by this chapter to be left open and unoccupied by any part of a building or structure other than by exceptions as provided herein such as fences, retaining walls or accessory buildings, such yard being defined by a minimum distance from an adjoining property line or right-of-way line in the bulk and area tables. Accessory building shall be prohibited in the front yard unless otherwise permitted by this chapter.

YARD, SIDE

A yard situated between the building and side lot line extending from the front yard to the rear yard. When determining the side yards on a corner lot or odd-shaped lot refer to image below. Side yards on a corner lot shall comply with the minimum yard dimension labeled corner in the bulk regulation for that zone.



REQUIRED YARDS
 BUILDING (ZONING) ENVELOPE
 (TWO DIMENSIONAL)

1. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.
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

ZONING

280 Attachment 1
Township of Little Falls
Schedule of Use, Area and Bulk Regulations
R-1A District

			Min. Lot Dimensions			Min. Yard Dimensions					Max. Building Cvg.	Max. FAR	Max. Bldg. Height (ft.) 2 1/2 Stories or 35 feet	Minimum Ground Floor Area (sq.ft.)	Maximum Improved Coverage
			Area (sq. ft.) (ac)	Width (ft.)	Mean Depth (ft.)	Front (ft.)	Minimum Side Yard Over/Total (ft.)	Corner (ft.)	Rear (ft.)						
Principal Permitted Uses Single-family detached dwelling	Conditional Uses Home occupations (4) Resident doctors' or dentists' office (1) Essential public utility substations and pumping stations (5) Private schools of general instruction (6)	Accessory Uses Customarily incidental to principal permitted use	15,000 sq. ft.	100	150	30	10/25	20	35	25%	25%	35	700	55%	
Churches and places of worship Public and parochial schools of general instruction		Customarily incidental to principal permitted use	2 ac	250	200	80	30	60	35	25%	25%	35			

ZONING

280 Attachment 2

**Township of Little Falls
Schedule of Use, Area and Bulk Regulations
R-1B District**

Principal Permitted Uses	Conditional Uses	Accessory Uses	Min. Lot Dimensions			Min. Yard Dimensions					Max. Building Cye.	Max. FAR	Max. Bldg. Height (ft.)	Minimum Ground Floor Area (sq. ft.)	Maximum Improved Coverage
			Area (sq. ft.) (ac)	Width (ft.)	Mean Depth (ft.)	Front (ft.)	Minimum Side Yard One/Total (ft.)	Corner (ft.)	Rear (ft.)						
Same as R-1A Single-family detached dwelling Resident professional office of doctor, dentist, architect, engineer, lawyer or accountant (1) Home occupations as defined in § 280- 4	Same as R-1A	Same as R-1A	9,000 sq. ft.	75	120	25	5-15	10	25	25%		2 1/2 Stories or 35 feet	700	60%	
	Noncommercial clubs, lodges or fraternal organizations		1	200	200	75	20	40	50	30%	30%	35			

Notes:

(1) With conditions specified in § 280-14A.

ZONING

280 Attachment 3 Township of Little Falls Schedule of Use, Area and Bulk Regulations R-1C District

Principal Permitted Uses Same as R-1B	Conditional Uses Same as R-1B	Accessory Uses	Min. Lot Dimensions			Min. Yard Dimensions				Max. Building Cvg.	Max. FAR	Max. Bldg. Height (ft.) 2 1/2 Stories or 35 feet	Minimum Ground Floor Area (sq.ft.) 600	Maximum Impervious Coverage 70%
			Area (sq. ft.) (ac)	Width (ft.)	Mean Depth (ft.)	Front (ft.)	Minimum Side Yard Over/Total (ft.)	Corner (ft.)	Rear (ft.)					
Single-family detached dwellings Public utility substations or pumping stations meeting the requirements of § 280-13C (1)			5,000 sq. ft.	50	100	20	5-15	10	20	25%				
Private schools of general instruction, but not business schools (1)	Nonsectarian institutions such as nursing homes and assisted living facilities, whether operated for profit or not		1 ac	200	200	75	20	40	50		35%	35ft		

Notes:

(1) Requires site plan approval.

ORDINANCE NO. 1427

**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 280-6 ENTITLED ZONING
MAP**

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 the regulation of development throughout the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 280-6 Zoning Map to provide for more compliant building parcels established by the various components of the Zoning Ordinance Chapter 280 of the Code of the Township of Little Falls; and

WHEREAS, it has been determined that the changes to the Zoning Map in the Township of Little Falls affixed to this ordinance will be the official Zoning Map of the Township of Little Falls revised with the adoption of this ordinance:

§ 280-6 Zoning Map.

The districts are bounded and defined as shown on the map entitled Zoning Map of the Township of Little Falls, New Jersey, adopted January 25, 1979, and revised, October 4, 2021, which map, and all explanatory matter thereon is hereby made a part of this chapter.

1. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.
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