

BOROUGH OF CRESSKILL

ORDINANCE NO. 23-32-1633

AN ORDINANCE AMENDING CHAPTER §275 ARTICLE XI SUPPLEMENTARY  
REGULATIONS: R-40, R-15, R-10 SINGLE FAMILY RESIDENCE ZONES, §275-47.3

WHEREAS, the Borough of Cresskill Building Department, Construction Code Official has advised the Mayor and Council of various proposed amendments to the Borough's Ordinance; and

WHEREAS, the Building Department Construction Code Official has proposed an amendment to allow for 150 square feet of uncovered deck to be excluded from building coverage.

NOW THEREFORE, BE IT ORDAINED, that the Council does hereby concur with the Construction Code Official, and does hereby amend Section 275 as follows:

§275-47.3      Exception to Garage Construction  
Construction of Garages at or below basement level is hereby prohibited.  
Garages shall not be constructed at a level that is not at natural grade.  
Garages may be constructed on a hill, subject to topographical survey measurements submitted to the Borough Engineer and/or Borough Construction Official for their final determination if the garage may be constructed below the natural grade plane.

BE IT FURTHER ORDAINED, that all other provisions contained in Section 275-47 are readopted in their entirety; and

BE IT FURTHER ORDAINED, that if there are any conflicting provisions in Section 275-47.3, it shall be conclusively presumed that this newly ordained Section 275-47.3 shall control.

SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

