

**BOROUGH OF BERGENFIELD
PUBLIC NOTICE**

ORDINANCE 26-2660 - AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "LAND DEVELOPMENT"

was introduced at a Regular Meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, January 20, 2026 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Council Chambers on the third floor of the Bergenfield Borough Hall located at 198 North Washington Avenue in Bergenfield on Thursday, March 5, 2026 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend section 40 of Chapter 186 titled "Regulations applicable to all zones" to add letter Q. setting basement height and prohibiting sub-basements for residential zones, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey or can be accessed online on the Borough website at www.Bergenfieldnj.gov.

BOROUGH OF BERGENFIELD
Ordinance No. 26-2660

**AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED
“LAND DEVELOPMENT”**

WHEREAS, Chapter 186 of the Code of the Borough of Bergenfield sets forth all regulations regarding Land Development within the Borough of Bergenfield; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 186-40. Regulations applicable to all zones.

New Letter Q. Basement Height and Sub-Basement Prohibited for Residential Zones Only.

- (1) For all single-family detached dwellings, the basement level shall not exceed a finished floor to finished ceiling height of ten (10') feet.
- (2) No sub-basement shall be permitted. For the purposes of this ordinance a sub-basement is defined as any story located entirely below the level of the basement floor and below finished grade around the perimeter of the building.
- (3) Any portion of the basement exceeding the maximum height specified in subsection (1) above, shall be considered an additional above-grade story for zoning and building code purposes.
- (4) For consistency with floor-area ratio (FAR), height or story-count limitations in this ordinance, the basement floor slab shall be deemed at grade for the purpose of determining above-grade stories if the basement ceiling height is less than or equal to the limits set in (1) above.
- (5) This section applies to new construction and to any enlargement or significant alteration of the basement level. Existing basements that exceed the height limit or include a sub-basement may continue to lawfully exist as a nonconforming condition, but may not be increased in height or further excavated to create a sub-basement.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

Introduced: January 20, 2026

Adopted:

Attest

Approved