



**BOROUGH OF BERGENFIELD  
PUBLIC NOTICE**

**ORDINANCE 26-2676 - AN ORDINANCE AMENDING AND SUPPLEMENTING  
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, August 18, 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 third floor Council Chambers in the Borough Hall located at 198 North Washington Avenue, Bergenfield, New Jersey on Tuesday, October 6, 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 186-40 to include a new subsection entitled "Side Yard Encroachment Prohibition" to preserve required minimum side yard setbacks areas and to supplement and enhance existing bulk regulation, 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](http://www.Bergenfieldnj.gov).

Marie Quiñones-Wilson  
Borough Clerk  
Posted: August 21, 2026

**BOROUGH OF BERGENFIELD  
COUNTY OF BERGEN**

**ORDINANCE 26-2676 - AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED  
“LAND DEVELOPMENT”**

**BE IT ENACTED AND ORDAINED**, by the Governing Body of the Borough of Bergenfield that those portions of Chapter 186, entitled “Land Development” outlined below are hereby amended as follows and that those portions of the Chapter not set forth below shall remain unchanged.

**Section 186-40 shall be amended to include a new subsection and entitled “Side Yard Encroachment Prohibition” and shall be set forth as follows:**

**Q. Purpose and Intent.**

- 1) The purpose of this section is to preserve required minimum side yard setback areas as open bulk areas intended to maintain separation between structures, preserve access, reduce visual congestion, promote public safety, and maintain neighborhood character. This section is intended to supplement and enhance existing bulk regulation and shall not otherwise modify existing minimum setback requirements.

Required minimum side yard setback areas shall remain open and unobstructed and shall not be occupied by structures, projections, appurtenances, equipment, or other improvements except as specifically permitted herein.

The following shall be prohibited within any required minimum side yard setback area:

- (a) Air conditioning condensers, compressors, heat pumps, mechanical equipment, generators, pool equipment, electric vehicle charging equipment, and similar equipment or devices;
- (b) Window wells, window well enclosures, and protective coverings;
- (c) Chimneys, fireplace projections, flues, and similar structural projections;
- (d) Steps, stairways, stair landings, and associated structures;
- (e) Decks, platforms, porches, patios with overhead coverage, and similar structures;
- (f) Fences, screening structures, screening devices, walls, enclosures, or similar obstructions associated with equipment or improvements prohibited herein;
- (g) Any structure, projection, coverage, appurtenance, equipment, or improvement that obstructs, occupies, or encroaches within the required

minimum side yard setback area.

2) Permitted Improvements.

The following shall be permitted within required minimum side yard setback areas:

1. At-grade walkways, including brick pavers, concrete, stone, and similar pedestrian surfaces, provided such areas shall be included in all applicable impervious coverage calculations;
2. Landscaping, drainage improvements, and other features that remain flush with the grade and do not constitute structures or encroachments;
3. Utility meters, utility service connections, utility lines, and similar utility infrastructure customarily associated with the principal structure;
4. Roof leaders, downspouts, drainage leaders, and associated stormwater conveyance components attached to the principal structure.

3) Nonconforming Conditions.

- (a) Any structure, equipment, projection, or improvement lawfully existing prior to the effective date of the ordinance that does not conform to these requirements may remain and shall be considered a legal pre-existing nonconforming condition; however, such condition shall not be enlarged, expanded, relocated, reconstructed, or replaced in a manner that increases the degree of nonconformity.

4) Administration.

- (a) This section shall supplement all existing bulk standards and setback requirements contained elsewhere within this chapter and shall not be interpreted to reduce, modify, or supersede any stricter setback requirement contained within this Code.

**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: August 18, 2026***

***Adopted:***

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**Attest**

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**Approved**