

**ORDINANCE 17-2015
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE**

**AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY
OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92,
“ZONING,” ARTICLE V, “REGULATIONS GOVERNING CERTAIN USES,”
SECTIONS 92-26, “MISCELLANEOUS USES” OF THE CODE OF THE
BOROUGH OF BLOOMINGDALE**

WHEREAS, certain pipelines are not public utilities that distribute service to end users and are unregulated by the State of New Jersey Board of Public Utilities; and

WHEREAS, these pipelines are designed to transport a variety of materials, including hazardous substances which, if a discharge occurred, result in environmental degradation to the environment, including the land, water and air; and

WHEREAS, these pipelines do not directly provide the public with necessities, such as electricity, gas, telephone, water or wastewater service; and

WHEREAS, these pipelines may pose a threat to the infrastructure that provides these public utility services; and

WHEREAS, these pipelines are not public utilities that distribute services to end users and are unregulated by the Board of Public Utilities; and

WHEREAS, as these pipelines are not regulated by the New Jersey Board of Public Utilities, there is limited accountability to the public; and

WHEREAS, the Bloomingdale Borough Committee believes that it is in the best interest of the health and welfare of its residents that the Land Use and Development Ordinance of the Borough of Bloomingdale be clarified to provide that pipelines are not public utilities that distribute services to end users and are unregulated by the Board of Public Utilities are specifically prohibited within the Borough of Bloomingdale.

BE IT ORDAINED, by the Borough Committee of the Borough of Bloomingdale, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 92, “Zoning,” Article V, “Regulations Governing Certain Uses,” Section 92-26, “Miscellaneous Uses,” of the Code of the Borough of Bloomingdale is hereby amended to add Paragraph H, which shall read in its entirety as follows:

§ 92-26. Miscellaneous uses.

H. Pipelines. Pipelines that are not public utilities distributing services to end users which are not otherwise regulated by the New Jersey Board of Public Utilities are prohibited in all zones and districts within the Borough of Bloomingdale.

SECTION 2. All ordinances or parts of ordinances of the Borough of Bloomingdale inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This law shall take effect immediately upon final passage, approval and publication as required by law.

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Jane McCarthy, Clerk

By: _____
Jonathan Dunleavy, Mayor