

ORDINANCE NO. 26-16

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 24 OF THE CODE OF THE BOROUGH OF CARLSTADT TO SPECIFICALLY ADOPT THE REGULATIONS OF THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY FOUND IN N. J. A. C. 19:4-4.21 AS PART OF THE CODE OF THE BOROUGH OF CARLSTADT.

WHEREAS, pursuant to Section 11(a) of the Hackensack Meadowlands Agency Consolidation Act, at NJ SA-5:10A-1 et seq. the Borough of Carlstadt has adopted and maintained the master plan zoning regulations codes and standards of the New Jersey Sports and Exposition Authority ("NJSEA"), as it relates to property within the jurisdiction of that agency; and

WHEREAS pursuant to the authority granted thereby, the Borough of Carlstadt has conducted reviews and approved various plans and within the Borough of Carlstadt on projects within both the Borough of Carlstadt and the jurisdiction of the NJSEA; and

WHEREAS enforcement actions relating to violations of the NJSEA rules and conditions of approval granted by the Borough of Carlstadt have been referred by the NJSEA to the Borough; and

WHEREAS questions have arisen regarding the applicable fines and penalties that would apply to violations of the NJSEA approvals; and

WHEREAS the Borough of Carlstadt desires to clarify that such that the procedures, fines and penalties established by the NJSEA would apply to violations relating to properties within the NJSEA jurisdiction.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of Borough of Carlstadt as follows:

1. Subsection 21-24 of the Code of the Borough of Carlstadt is amended and supplemented to add thereto the following Subsection 21-24.18 to read as follows:

24.18.1 Adoption of NJSEA Fines and Penalties.

(a) When the Borough of Carlstadt becomes aware that a violation of these regulations may exist, the Borough of Carlstadt staff shall undertake an investigation to determine whether such violation does exist. If the Borough of Carlstadt shall determine that a violation of these regulations exists, the Borough of Carlstadt shall notify the property owner of the existence of the violation in writing and request that the violation be abated. If the violation is not abated, the Borough of Carlstadt shall have the authority to take any or all actions as are outlined in (b) below to ensure compliance with the regulations of the NJSEA.

(b) A property owner who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of, any of the NJSEA regulations shall be subject to a civil penalty of not less than \$200.00 or more than \$5,000. Each day such violation or failure to comply exists subsequent to the original notification shall constitute a separate offense.

(c) The Borough of Carlstadt may, in the case of a violation of these regulations, institute a civil action for injunctive relief:

1. To prevent unlawful sale, enlargement, moving, rental, construction, reconstruction, alterations, repair, conversion, maintenance, use, filling, or occupancy;

2. To restrain, correct, or abate any violation;

3. To prevent the occupancy of any dwelling structure or land;

4. To prevent any illegal act, conduct, business or use in or about any premises; or

5. To collect such civil penalties as have been assessed against any violator and which civil penalties said violator has refused to pay.

(d) The Borough of Carlstadt may investigate any potential violation of the performance standards of these regulations in accordance with N.J.A.C. 19:4–7.2(c).

(e) The Borough of Carlstadt’s rights of entry and inspection shall be as follows:

1. Any individual who has applied to the Borough of Carlstadt for a permit shall be deemed to have consented to inspections, investigations, examinations, surveys, soundings or test borings, by the Borough of Carlstadt staff or duly authorized representative of the Borough of Carlstadt, of the entire premises and of any and all construction being performed on the premises until a permit has been issued.

2. The Borough of Carlstadt staff or duly authorized representative of the Borough of Carlstadt, pursuant to N.J.S.A. 13:17–6(f), as delegated to the Borough of Carlstadt pursuant to N.J.S.A. 5:10A-1 et. seq., has the right to enter upon any property in order to conduct inspections necessary to carry out the purposes of the Hackensack Meadowlands Reclamation and Development Act and to ensure compliance with NJSEA regulations.

3. All inspections, investigations, examinations, surveys, soundings or test borings shall be memorialized by a written report which shall include the name of the representative who entered the premises, the address, including the lot and block number(s), of the premises entered and a description of the premises, including a description of any and all violations.

4. Other than a visit to the premises made pursuant to (e)1 and (e)2 above, the property owner, owner’s agent or tenant shall be notified of the Borough of Carlstadt’s intention to enter upon any building or property in order to conduct investigations, examinations, surveys, soundings or test borings necessary to carry out the purposes of the Hackensack Meadowlands Reclamation and Development Act. The Borough of Carlstadt staff or duly authorized representative of the Borough of Carlstadt shall not enter the premises until at least two days following the date of such notice.

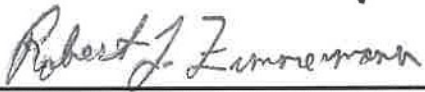
5. Where access to any premises has been refused, such refusal may be reported to the Borough Attorney or the Office of the Attorney General and a search warrant may be obtained or other appropriate legal proceedings initiated.

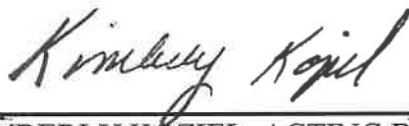
2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

4. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

INTRODUCED: AUGUST 19, 2026
PUBLISHED: AUGUST 20, 2026
PUBLISHED: SEPTEMBER 3, 2026
ADOPTED: SEPTEMBER 2, 2026

APPROVED: 
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: 
KIMBERLY KOZIEL, ACTING BOROUGH CLERK