

# Borough of Fair Lawn



## ORDINANCE NO. 2771-2025

### **AN ORDINANCE AMENDING CHAPTER 125, LAND DEVELOPMENT, ARTICLE IV, SUPPLEMENTARY ZONING REGULATIONS, SECTION 125-32, "NONCONFORMING LOTS, USES AND STRUCTURES," OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000**

**WHEREAS**, in its Annual Report to the Mayor and Council of the Borough of Fair Lawn ("Borough") and to the Borough Planning Board, the Zoning Board of Adjustment ("Zoning Board") has recommended certain amendments to Chapter 125, Land Development, Article IV, Supplementary Zoning Regulations, Section 125-32, "Nonconforming Lots, uses and structures," of the Code of the Borough of Fair Lawn 2000; and

**WHEREAS**, upon consideration, the Borough Council agrees with the Zoning Board's recommendation,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen and State of New Jersey, as follows:

**SECTION 1.** Chapter 125, Land Development, Article IV, Supplementary Zoning Regulations, Section 125-32, "Nonconforming lots, uses and structures," is hereby amended and supplemented by inserting the text **underlined and marked in bold** to read as follows:

Chapter 125 **Land Development**

Article IV **Supplementary Zoning Regulations.**

\* \* \*

§ 125-32 **Nonconforming lots, uses and structures.**

A– F. [No change]

**G. Notwithstanding the provisions of this section, the replacement of deteriorated or disintegrated wall sheathing in a non-conforming structure shall not be considered a substantial alteration or partial destruction requiring zoning board approval, provided that:**

- (1) The replacement is limited to the sheathing material and framing if it is in the identical setback and does not involve changes to the location of the structure's framing, footprint, height or overall dimensions.
- (2) The work is necessary to maintain the structural integrity and safety of the building, as certified by a licensed professional engineer or architect.
- (3) All replacement materials comply with current building codes and regulations.
- (4) The replacement does not increase the nonconformity of the structure.

\* \* \*

**SECTION. 2.** In the event any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, such determination shall apply only to such section, paragraph, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and shall remain in full force and effect.

**SECTION 3.** All ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** This Ordinance shall take effect upon passage and publication according to law.

Introduced: November 25, 2025

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Salinas			X			
Krause	X		X			
Rottenstrich			X			
Reinitz		X	X			
Cutrone			X			

Adopted: December 16, 2025

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Salinas						
Krause						
Rottenstrich						
Reinitz						
Cutrone						

**Attest:**

**Approved:**

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Nicholas J. Magarelli, RMC  
Municipal Clerk

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Cristina Cutrone  
Mayor