

**BOROUGH OF WOODCLIFF LAKE**  
**Bergen County**

**ORDINANCE NO. 26-11**

**AN ORDINANCE VACATING A PAPER STREET WITHIN THE BOROUGH OF WOODCLIFF LAKE**

Hereto introduced on the 20<sup>th</sup> day of April, 2026 at 7:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 18<sup>th</sup> day of May, 2026 at 6:00 PM or as soon thereafter as the matter can be reached at the regular meeting place of the Borough Council, Borough Hall, 188 Pascack Road, Woodcliff Lake, New Jersey and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said Ordinance be further considered

**Section 1. AUTHORITY AND PURPOSE.**

This ordinance is adopted pursuant to the authority granted to municipalities under N.J.S.A. 40:67-1 to vacate any street, highway, lane, alley, square, place or park, or any part thereof, dedicated to public use but not accepted by the municipality N.J. Stat. § 40:67-1. The governing body finds that the public interest will be better served by releasing the lands described herein from such dedication N.J. Stat. § 40:67-19.

**Section 2. FINDINGS.**

**WHEREAS**, there has been a dedication of lands as a public street which has not been accepted or opened by the Municipality; and

**WHEREAS**, the governing body of the Municipality has determined that the public interest will be better served by releasing those lands from such dedication N.J. Stat. § 40:67-19; and

**WHEREAS**, notice of the intention of the Governing Body to consider this ordinance and a hearing thereon has been given as provided in N.J.S.A. 40:49-6 concerning ordinances for the vacation of streets N.J. Stat. § 40:67-19; and

**WHEREAS**, the Municipality has complied with all publication requirements for municipal ordinances, including those set forth in J.J.S.A. 40:49-2.1 for ordinances adopted pursuant to the Municipal Land Use Law N.J. Stat. § 40:49-2.1; and

**WHEREAS**, all procedural requirements for the adoption of this ordinance have been satisfied.

**Section 3. VACATION OF PAPER STREET**

The Municipality hereby releases and extinguishes the public right arising from the dedication of the paper street described as Maillard Avenue and Lincoln Avenue to be dedicated as Block 2801, Lot 6; Block 2801, Lot 5; Block 2801, Lot 2; and Block 2801, Lot 18, and said lands are hereby effectually discharged from such dedication as though the dedication had not taken place N.J. Stat. § 40:67-19. The word vacate shall be construed for all purposes to include the release of all public rights resulting from the dedication of land not accepted by the municipality N.J. Stat. § 40:67-1.

**Section 4. RESERVATION OF UTILITY RIGHTS.**

This vacation ordinance expressly reserves and excepts from vacation all rights and privileges then possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act" P.L. 1972, c. 186 (C. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street or any part thereof to be vacated N.J. Stat. § 40:67-1.

**Section 5. NOTICE OF PASSAGE.**

Upon passage of this ordinance, notice of passage or approval shall be published in accordance with subsection d. of R.S. 40:49-2 N.J. Stat. § 40:49-2.1. A copy of this ordinance and of any summary published in connection with its adoption shall be forthwith transmitted to the tax assessor of the Municipality N.J. Stat. § 40:49-2.1.

**Section 6. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 7. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon final passage and publication as required by law.

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.