

ORDINANCE NO.38
2026
TOWNSHIP OF WAYNE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 200 (VEHICLES AND TRAFFIC) OF
THE CODE OF THE TOWNSHIP OF WAYNE

WHEREAS, in addition to the powers conferred to a municipality under section 39:4-197 of the Revised Statutes, the governing body of every municipality may make, amend, repeal and enforce ordinances to regulate vehicular and pedestrian traffic and the parking of vehicles in parking yards and parking places, which are open to the public or to which the public is invited, whether maintained or operated separately or in conjunction with any business or enterprise pursuant to N.J.S.A. 40:48-2.46; and

WHEREAS, N.J.S.A. 39:4-197(1)(a) further provides that a municipality may pass, without the approval of the Commissioner of Transportation, and consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, ordinances altering speed limitations as provided in R.S.39:4-98;

WHEREAS, the Administration has recommended that the speed limit on Berdan Avenue, be reduced to 35 mph; and

WHEREAS, Chapter 200 (Vehicles and Traffic) of the Code of the Township of Wayne ("Code") needs to be amended.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Wayne in the County of Passaic, State of New Jersey as follows [additions by **bold**, deletions by ~~striketrough~~]:

SECTION 1. Chapter 200, Article XI (Schedules) § 200-47 (Schedule XIX: Speed Limits) of the Code of the Township of Wayne is hereby amended and supplemented as follows:

Name of Street	Speed Limit (mph)	Location
Berdan Avenue	35	Entire Length

SECTION 2: All other provisions of Chapter 200 of the Code of the Township of Wayne shall remain unchanged.

SECTION 3: **Severability**. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: **Repeal of Inconsistent Provisions**. All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5: Codification. This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 6. This ordinance shall take effect twenty days after final passage, adoption, and publication in the manner prescribed by law.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WAYNE AT A REGULAR MEETING HELD ON JUNE 17, 2026.

ATTEST:



PAUL V. MARGIOTTA
TOWNSHIP CLERK



To: Margiotta, Paul V. <margiottap@waynetownship.com>
Cc: Tietjen, Christopher J. <tietjenc@waynetownship.com>
Subject: RE: Ordinance 38-2026 Berdan Avenue Reduce Speed Limit

Paul,

Yes, Berdan Avenue meets the definition of a "Suburban business or residential district" as defined by NJSA 39:1-1.

I have no objections to lowering the posted speed limit on the entire length of Berdan Avenue to 35 mph. Once the County Commissioners adopt a concurring resolution, I recommend the following:

1. DPW remove the existing 45 MPH signs.
2. Install new 35 mph speed limit signs. I can coordinate with DPW and PD Traffic on the quantity and location of signs.
3. Suggestion – as courtesy notify Oakland officials and the Bergen County Engineer of the speed limit change. Currently, Berdan Ave turns into Breakneck Road in Oakland (which is Bergen County roadway), which is posted for 40 MPH. Please advise if you want me to notify both entities.
4. DPW or PD to install a Variable Message Sign at least 2 locations (one in each direction) stating New Speed Limit. Have it up for 1-2 weeks prior to the installation of the new signs, and then leave them there for 1-2 weeks after the signs are installed. Suggest add the new speed limit change to our social media.
5. For enforcement, suggest police department issue warnings (as appropriate) for first few weeks as an education to the drivers on the new lower speed limit.

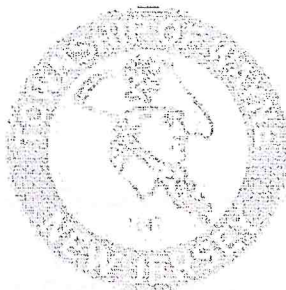
Please advise if you need anything else from Engineering.

Thanks.

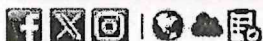
Jonathan

**township
of wayne**

Jonathan Pera, P.E.
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