

**BOROUGH OF EMERSON
COUNTY OF BERGEN**

ORDINANCE NO. 1710-25

**AN ORDINANCE TO AMEND PART ONE: (ADMINISTRATIVE LEGISLATION),
CHAPTER 21 (COURT) OF THE BOROUGH CODE OF THE BOROUGH TO
PROVIDE FOR THE ISSUANCE OF ADMINISTRATIVE SEARCH WARRANTS**

WHEREAS the Governing Body of the borough of Emerson (“Borough”) believes it is in the best interest of the Borough to Amend Part 1 (Administrative Legislation), Chapter 21 (Court) of the Borough Code of the Borough of Emerson to add the following sections; and

BE IT ORDAINED by the Mayor and Council of Emerson, County of Bergen, State of New Jersey, as follows:

SECTION 1. NEW Article IV of the Borough of the Emerson, entitled “Administrative Search Warrants” is hereby ADDED to Chapter 21 (Courts):

Article IV Administrative Search Warrants

§ 21-12 Issuance of an Administrative Search Warrant

If access to a private property within the Borough of Emerson cannot be obtained voluntarily and no other exception to authorize access to the property applies, an authorized Borough official or duly appointed inspector may seek an administrative (noncriminal) search warrant from the Emerson Municipal Court. Such application shall be made by affidavit setting forth factually the conditions and circumstances that provide a reasonable basis for believing that a nuisance, a violation of state law or regulation, or a violation of a borough ordinance or code or a dangerous condition exists on the premises. If a Judge of the Municipal Court is satisfied as to the matter set forth in the affidavit, he or she shall authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation may exist.

§ 21-13 Violations and penalties.

Where any authorized Borough official or duly appointed inspector possessing a duly authorized administrative search warrant for a private property is refused entry or access or is otherwise impeded or prevented by the owner, occupant or operator from conducting an inspection of the premises, in addition to any other penalties that may be available under law, such person shall be in violation of this Code and subject to the penalties as provided in Section , including but not limited to a Police Officer of the Borough of Emerson of appearing with the Borough official or duly appointed inspector possessing a duly authorized administrative search warrant for a private property and gaining access.

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Section II. This ordinance shall take effect upon passage and publication according to law.

BE IT FURTHER ORDAINED that except as modified herein, all other provisions of shall remain in full force and effect as previously adopted; and

BE IT FURTHER ORDAINED that this Article shall take effect upon passage and publication as provided by law.

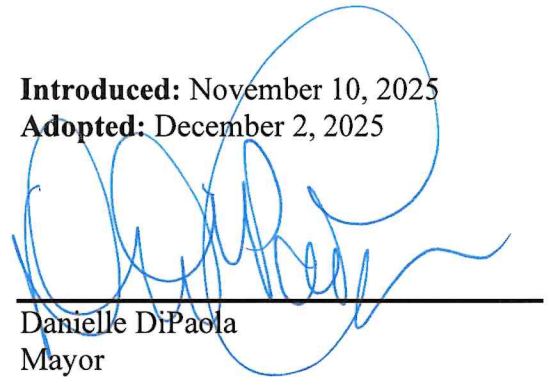
Council	Motion	Second	Yes	No	Abstain	Absent
Rice			X			
Sayers		X	X			
Ellis			X			
Argenzia	X		X			
Timmerman			X			
Ciolino			X			

I hereby certify that Ordinance No. 1710-25 was adopted by the Governing Body of the Borough of Emerson at a meeting held on December 2, 2025.



Triessa DeSimone, RMC
Borough Clerk

Introduced: November 10, 2025
Adopted: December 2, 2025



Danielle DiPaola
Mayor