



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 16-16

AN ORDINANCE OF THE BOROUGH OF HIGHLANDS IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY SUPPLEMENTING CHAPTER EIGHT OF THE CODE OF THE BOROUGH OF HIGHLANDS TO REGULATE SNOW AND ICE REMOVAL ON SIDEWALKS

WHEREAS, the Borough of Highlands (“the Borough”) has enacted ordinances to provide for the health, safety, and welfare of its citizens, which is codified in the Code of the Borough of Highlands (“the Code”); and

WHEREAS, the Borough wishes to supplement Chapter 8 of the Code to include section 8:5, “Snow and Ice Removal,” which would require property owners and/or tenants to remove snow and ice from sidewalks that abut their land.

WHEREAS, the Borough wishes also to include Section 8:5-1, “Treatment of Ice,” which would require property owners and/or tenants to treat sidewalks that abut their property with ashes, sand, cinders, sawdust or other material designed to prevent pedestrians from slipping and falling.

WHEREAS, the Borough wishes to further include Section 8:5-2, “Violations and Penalties,” which will enforce a penalty if this chapter is violated.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

SECTION ONE. Section 8:5 shall be added to read as follows:

Section 8:5 Snow and Ice Removal.

The owner or tenant of land abutting upon the sidewalk of any street or avenue shall remove all snow and ice from the sidewalk within 12 daylight hours after same shall have formed or fallen thereon.

Section 8:5-1 Treatment of Ice.

The owner or tenant of land abutting or bounding upon the sidewalks of any street or avenue shall, when such sidewalks may become icy or otherwise slippery, place thereon ashes, sand, cinders, sawdust or other material designed to prevent pedestrians from slipping and falling and shall at all times keep such sidewalks in a safe and passable condition.

Section 8:5-2 Certain Persons Exempt from Requirements

Any owner or tenant of land abutting upon the sidewalk of any street or avenue who is unable to remove snow and ice and/or provide for the treatment of ice due to a physical or medical disability or due to age or infirmness, shall contact the Code Enforcement Officer and/or his designee, within 12 daylight hours after snow and ice has formed or fallen. Such owner or tenant with a physical or medical disability or inability to remove and/or treat snow and ice due to age or infirmness, will not be subject to the violations and penalties delineated in Section 8:5-3, subject to the discretion of the Code Enforcement Officer.

Section 8:5-3 Violations and Penalties.

Violations are punishable by fine, imprisonment, or community service in the discretion of the Judge in accordance with N.J.S.A. 40:49-5.

SECTION TWO. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION THREE. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR. EFFECTIVE DATE. This Ordinance shall take effect after final passage and publication as provided by law.

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|---------------------------------------|------------|----------|-----|-----|---------|--------|
| BROULLON | | | X | | | |
| CARD | X | | X | | | |
| D'ARRIGO | | X | X | | | |
| WELLS | | | | | | X |
| NOLAN | | | X | | | |
| | | | | | | |
| ON CONSENT AGENDA: YES -- NO X | | | | | | |

Public Hearing and Possible Adoption will be September 07, 2016.

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held August 17, 2016. WITNESS my hand this 24th day of August 2016.


 Dwayne M. Harris, RMC
 Acting Municipal Clerk

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-----------------------------------------------------------------------------------------|------------|----------|-----|-----|---------|--------|
| BROULLON | | | X | | | |
| CARD | X | | X | | | |
| D'ARRIGO | | X | X | | | |
| WELLS | | | X | | | |
| NOLAN | | | | | | X |
| | | | | | | |
| | | | | | | |
| ON CONSENT AGENDA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO X | | | | | | |

ADOPTED ON SECOND READING
 DATED: September 07, 2016

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held September 07, 2016. WITNESS my hand this 8th day of September 2016.


 Dwayne M. Harris, RMC
 Acting Municipal Clerk

APPROVAL BY THE MAYOR ON THIS 12th DAY OF September 2016.

 FRANK NOLAN,
 Mayor