

BOROUGH OF BOUND BROOK

ORDINANCE NO. 2017:11

AN ORDINANCE AMENDING CHAPTER 26, STREETS AND SIDEWALKS, SECTION 26-6, "REMOVAL OF SNOW AND ICE," OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK, SOMERSET COUNTY, NEW JERSEY

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bound Brook, in the County of Somerset and State of New Jersey, that Chapter XXVI, Streets and Sidewalks, be and is hereby amended and supplemented as follows:

SECTION 1. That Section 26-6, "Removal of Snow and Ice," be and is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

26-6 REMOVAL OF SNOW AND ICE.

26-6.1 Duty to Remove.

The owner[, **tenant**] or other person having control of any premises abutting upon any public sidewalk in the Borough shall remove all snow and ice from the portion of the sidewalk abutting his/her premises. **[Where the premises are occupied by more than one (1) tenant, it shall be the duty of the tenant occupying the first floor to remove the snow and ice.]** The owners of premises used for business, commercial or industrial purposes shall, in addition, remove all snow and ice from parking lots, walkways and other areas used by their customers or employees. Ice which is so frozen as to make removal impractical shall either be treated with rock salt or other chemicals which will thaw it sufficiently to permit removal or be thoroughly covered with sand, ashes or cinders. Removal or covering shall be accomplished within twelve (12) hours of daylight after the snow or ice shall fall or be formed. **Violators of this subsection 26-6.1 shall be issued a summons by the Bound Brook Police Department or the Department of Code Enforcement, with a mandatory court appearance.**

26-6.2 Casting of Snow or Ice.

No owner, tenant or occupant of any premises abutting on any street shall throw, place or deposit any snow or ice upon the street. The intent of this subsection is to prohibit all persons from throwing, placing or depositing snow or ice accumulating on the private property of that person upon the streets or sidewalks of the Borough. **Violators of this subsection 26-6.2 shall be issued a summons by the Bound Brook Police Department or the Department of Code Enforcement, with a mandatory court appearance.**

26-6.3 Removal by Borough.

In the event that snow or ice is not removed as required by subsection 26-6.1 or is cast, deposited or placed upon sidewalks or streets in violation of subsection 26-6.2, the snow or ice [shall] may be removed by the appropriate department of the Borough and the cost of removal shall be certified to the Mayor and Council. The Mayor and Council shall examine the certificate and, if found correct, shall cause the cost to be charged against the real estate abutting the sidewalk or street from which the snow or ice was removed. The amount charged shall become a lien upon the real estate abutting the sidewalk or street and shall be added to and become a part of the taxes next assessed upon that land and shall bear interest to be collected and enforced in the same manner as taxes. The remedy provided by this subsection **26-6.3** shall be in addition to any penalty imposed for a violation of [this] subsection 26-6.1 or subsection 26-6.2.

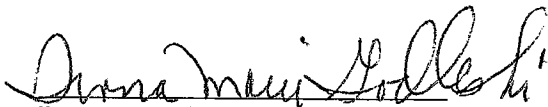
SECTION 2. Severability Clause. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon passage and publication in accordance with law.

ATTEST:

BOROUGH OF BOUND BROOK



Donna Marie Godleski
Borough Clerk

By: 

Robert Fazen, Mayor

Date of Introduction: April 25, 2017

Date of Adoption: May 9, 2017