

## **Borough of Highlands Public Notice**

Please take notice that the following ordinance was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, on March 2, 2016. Notice is hereby given that the following ordinance will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Robert D. Wilson Memorial Community Center, 22 Snug Harbor Avenue, Highlands, NJ 07732, on Wednesday, April 6, 2016 at 8:00 PM. At that time, the public is invited to participate in the discussion of the Ordinance. Copies of the Ordinance are available in the Municipal Clerk's Office located at 42 Shore Drive, Highlands, NJ and are posted on the Display Board at the Municipal Building. Copies are available at no charge to the general public.

### **BOROUGH OF HIGHLANDS COUNTY OF MONMOUTH**

#### **ORDINANCE NO. O-16-6**

#### **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.

**Carolyn Cummins**  
**Borough Clerk**