

ORDINANCE NO. 2014-5

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIII, "PROPERTY MAINTENANCE", SECTION 13-5 "REMOVAL OF SNOW and ICE FROM SIDEWALKS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK

Councilman DuPont offered the following ordinance and moved its adoption on final reading:

**BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter XIII, "Property Maintenance", Section 13-5 "Removal of Snow and Ice from Sidewalks" of the Revised General Ordinances of the Borough of Red Bank, be amended and supplemented as follows:

**SECTION ONE:** Section 13-5.1( "Removal of Snow and Ice from Sidewalks", "Required") of Article XIII ( "Property Maintenance ") of the Revised General Ordinances of the Borough of Red Bank is amended and supplemented as follows ( stricken text denotes deletions, underlined text denotes additions):

**§ 13-5.1, Required.**

Any owner or owners, occupant or occupants, tenant or tenants, building superintendent, rental agent or person in charge of premises abutting or bordering upon any public street, in the Borough, shall remove all snow, slush and ice from the abutting sidewalks of such streets, or in the case of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with sand or ~~ashes~~ salt, within 24 hours of daylight after the same shall fall or be formed thereon. Removal of any snow, slush or ice should be conducted along the full paved width of the sidewalk and in a manner that ensures the orderly flow and safety of pedestrian traffic upon such sidewalk. Removal of any slush, snow or ice shall be conducted in a manner that clears the full paved sidewalk or a minimum of forty two inches wide, including removal of snow, slush and ice from all curb cuts, intersections, crosswalks, handicapped ramps and sidewalk locations.

**SECTION TWO:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of Section 13-5, "Removal of Snow and Ice from Sidewalks" of the "Property Maintenance" Chapter of the Borough's Ordinance, are ratified and remain in full force and effect.

**SECTION THREE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Councilwoman Lewis and adopted on roll call by the following vote:

|                      | Yes   | No  | Abstain | Absent |
|----------------------|-------|-----|---------|--------|
| Councilman Murphy    | ( x ) | ( ) | ( )     | ( )    |
| Councilwoman Burnham | ( x ) | ( ) | ( )     | ( )    |
| Councilwoman Horgan  | ( x ) | ( ) | ( )     | ( )    |
| Councilwoman Lewis   | ( x ) | ( ) | ( )     | ( )    |
| Councilman Zipprich  | ( x ) | ( ) | ( )     | ( )    |
| Councilman DuPont    | ( x ) | ( ) | ( )     | ( )    |

Dated: March 12, 2014

Pasquale Menna, Mayor

Pamela Borghi, Municipal Clerk

First Reading: February 26, 2014

Final Reading: March 12, 2014