

TOWNSHIP OF ROCHELLE PARK

ORDINANCE NO. #1072 - 14

**AN ORDINANCE TO AMEND CHAPTER
161 OF THE CODE OF THE TOWNSHIP
OF ROCHELLE PARK ENTITLED
“STREETS AND SIDEWALKS”**

WHEREAS, Section 161-7 of the Code of the Township of Rochelle Park provides for the mandatory removal of all ice and snow within twenty-four (24) hours after the same has been formed or fallen; and

WHEREAS, Section 161-9 imposes various penalties for violation of the above referenced section; and

WHEREAS, the Township Committee believes that it would be in the best interests of the Municipality to establish a schedule of penalties which would enable residents to and other property owners to pay a penalty without the necessity of a mandatory Court appearance; and

WHEREAS, the Township Committee has also determined that it would be in the best interest of the Municipality to establish a prohibition against casting snow and ice into public streets or upon Municipal fire hydrants.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Rochelle Park, County of Bergen, and State of New Jersey as follows:

SECTION ONE: Sections 161-7, 161-8 and 161-9 are hereby deleted in their entirety.

SECTION TWO: Section 161-7 is hereby added.

A. **Removal of Snow and Ice from Sidewalks**

The owner or occupant of land abutting or bordering upon the sidewalks of the public streets, avenues and highways within the limits of the Township of Rochelle Park shall remove all snow and ice from the same within twenty-four (24) hours after the same has been formed or fallen thereon.

B. *Casting of Snow and Ice*

No owner, tenant or occupant of any premises abutting any street, avenue or highway within the limits of the Township of Rochelle Park nor any person working for or on behalf of any owner, tenant or occupant shall throw, place or deposit any snow or ice upon the public street in front of their property or upon any Municipal fire hydrant. The intent of this section is to prohibit all persons from throwing, placing or depositing snow or ice from the private driveway, parking areas or on the sidewalk in front of the property, upon the Municipal street or sidewalks of the Township or upon any Municipal fire hydrant.

SECTION THREE: Section 161-8 is hereby added

All grass, weeds or growth of any kind which may grow between the curblineline and the line of the sidewalk of any such street shall be kept cut below the height of eight (8) inches from the ground and shall be cut to that length within seven (7) days of notice to so cut the same. All grass, weeds or growth of any kind or other impediments upon the sidewalks of such streets shall be removed within seven (7) days of notice to remove same.

SECTION FOUR: Section 161-9 is hereby added.

Violations & Penalties

Any violation of this Article shall, upon conviction, be punishable as follows:

A. For the first offense in any calendar year, by a fine of seventy five (\$75.00) dollars.

B. For the second offense in any calendar year, by a fine of one hundred fifty (\$150.00) dollars .

C. For the third offense in any calendar year, by a fine of between two hundred fifty dollars (\$250.00) and five hundred dollars (\$500.00). A Court appearance shall be mandatory for a third offence.

D. For the fourth offense, by a fine up to one thousand (\$1,000.00) dollars, and/or imprisonment for a term not exceeding ninety (90) days, or any combination thereof. A Court appearance shall be mandatory for a fourth offense.

E. If the owner of any property who is charged with violating this article, chooses to enter a plea of guilty for a first, second or third offense, he shall be entitled to pay the fine without the necessity of a Court appearance.

F. Separate violation. Except as otherwise provided, every day that the violation shall continue shall be deemed a separate violation.

G. This Ordinance may be enforced by the Department of Public Works, Health Department, Police Department, Building Department or Property Maintenance Department.

SECTION FIVE: Repealer:

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION SIX: Severability:

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION SEVEN: Effective Date:

This Ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

ATTEST:

VIRGINIA DE MARIA,
Municipal Clerk