

ORDINANCE NO. 11, 2011

AN ORDINANCE AMENDING CHAPTER 241, STREETS AND SIDEWALKS OF THE CODE OF THE CITY OF LINWOOD TO PROVIDE FOR REGULATIONS GOVERNING THE REMOVAL OF SNOW AND ICE IN THE CITY AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

WHEREAS property owners and contractors when clearing accumulated snow from driveways, private lanes, and sidewalks have been observed throwing or placing the snow in the street right of way before and after the street right of way has been cleared by the City; and

WHEREAS this placement of accumulated snow in the right of way results in hazardous conditions on the public street or public right of way .

NOW THEREFORE BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 241, Streets and Sidewalks is hereby amended as follows:

ARTICLE VI: Casting of Snow and Ice

§ 241-32. Casting of Snow and Ice

No owner, tenant or occupant of any premises abutting any street, 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 or upon any public right of way in front of their property. The intent of this section is to prohibit all persons from throwing, placing or depositing snow or ice from a private driveway, parking area, private lane, or on the sidewalk in front of the property, upon the municipal street or sidewalks of the City.

§ 241-33. Violations and penalties.

That any person who violates any provision of this article shall, upon conviction thereof, be punishable by any combination of the following: a fine not exceeding \$1,000, imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

FIRST READING: July 13, 2011
PUBLICATION: July 20, 2011
PASSAGE: August 10, 2011

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on July 13, 2011 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 10, 2011.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR