

Ordinance 2003-05

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 14, "PROPERTY MAINTENANCE," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN

BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown as follows:

Section 1. Section 5.4 of Chapter 14, "Property Maintenance," of the *Revised General Ordinances of the Borough of Hightstown*, is hereby amended by the addition of paragraphs (d), (e), (f) and (g) as follows:

14-5.4 Sidewalks, Driveways, Walkways and Entrance Stairways.

- a. It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind, and to keep sidewalks, areaways, backyards, courts and alleys free from litter.
- b. Sidewalks, driveways, walkways and entrance stairways shall be maintained in a safe condition, such as will not constitute a hazard to persons using the premises.
- c. Sidewalk repairs and maintenance shall comply with the provisions of Section 17-2 of the *Revised General Ordinances of the Borough of Hightstown*.
- d. The owner, occupant or tenant of premises abutting or bordering on any street in the Borough shall remove all snow and ice from abutting sidewalks of such street or, in the event of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with sand or abrasive material within twelve (12) hours of daylight after it falls or is formed.
- e. The owner, occupant or tenant of premises used by the public or business invitees shall remove all snow and ice from the sidewalks, streets and parking areas used by the public in the transaction of business or, in the event of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with sand or abrasive material within twelve (12) hours of daylight after it falls or is formed.
- f. No owner, tenant or occupant of any premises abutting on any street shall throw, place or deposit any snow or ice into or on any street in the Borough. The purpose of this provision is to prohibit any person from throwing, casting, placing or depositing snow and ice which accumulates on the private property belonging to that person onto the sidewalks or streets of the Borough.
- g. In case snow or ice is not removed from any sidewalks or is cast or deposited on the sidewalks or the street by the owner, tenant or occupant of any premises, it shall be removed under the direction of the Superintendent of Public Works, and the cost of removal as nearly as can be ascertained shall be certified by the Superintendent of Public Works to the Borough Council. The Council shall examine such certification and, if it is found to be correct, shall cause such cost to be charged against the real estate so abutting or bordering on such sidewalks. The amount charged shall become a lien and a tax upon the real estate or land and be added to, recorded and collected in

the manner as the taxes next to be levied and assessed upon the premises and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes. The imposition and collection of a fine or any other penalty for violation of any of the provisions of this section shall not constitute any bar to the right of the Borough to collect the cost as certified for the removal of snow or ice in the manner herein authorized.

Section 2. If any part of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of the Ordinance.

Section 3. This Ordinance shall take effect upon its passage and publication as provided by law.