

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2769-15

AN ORDINANCE
TO
AMEND
CHAPTER 239
OF THE
CODE
OF THE
TOWNSHIP OF MAPLEWOOD
ENTITLED
"Streets and Sidewalks"

"Interpretive Statement"

This ordinance will allow temporary sports equipment to be placed in the grass median adjacent to the curb from April 1st to December 31st of each year.

WHEREAS, Section 239-28 of the Code of the Township of Maplewood, prohibits the encumbrance or obstruction of any street, highway, alley or other public place in the Township; and

WHEREAS, the Township of Maplewood "Township" wishes to permit temporary sports equipment to be placed within the grass median adjacent to the curb from April 1st to December 31st of each year.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that Section 239 of the Code of the Township of Maplewood entitled "Streets and Sidewalks" be amended to read as follows:

FIRST: Section 239-28 Permit Required

Shall be amended to read:

Public Right-of-Way: Shall mean for this Section, all dedicated streets, allies or common means of communication, travel or drainage and an area ten (10') feet from the street curb measured to the adjacent property.

No person shall encumber or obstruct or shall authorize the encumbering or obstructing of any street, highway, alley, public right-of-way (as herein defined) alley or other place in the Township by erecting, depositing, placing or leaving or suffering to be erected, deposited, placed

or left therein, any building materials, stone, dirt, refuse, ashes, vehicles, structures, obstructions or any articles, materials or things, whatsoever, without first having obtained the written permission of the Township.

Notwithstanding the foregoing, temporary sports equipment may be placed within the grass median strip adjacent to the curb of the resident or homeowner placing the temporary sports equipment on a temporary basis from April 1st to December 31st of each year. Any temporary sports equipment left in the right-of-way, other than as permitted herein, shall be removed, at the owner's expense by the Township, after a warning notice has been issued of the infraction.

Under no circumstances may the use or positioning of the temporary sports equipment impede the flow of vehicular or pedestrian traffic or emergency Township operations.

All other Sections shall remain unchanged.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on February 3, 2015, and that Committee met again on February 17, 2015, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk