

BOROUGH OF NEPTUNE CITY

ORDINANCE NO. 2015 -01

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CERTAIN SECTIONS OF CHAPTER 113
ENTITLED AS STREETS AND SIDEWALKS OF THE CODE OF THE
BOROUGH OF NEPTUNE CITY**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Neptune City, in the County of Monmouth and State of New Jersey, as follows:

Section 1. *Chapter 113* of the Code of the Borough of Neptune City is hereby amended as follows:

**ARTICLE III
TEMPORARY NO PARKING AND SNOW REMOVAL**

113-15. Temporary Parking and Snow Removal.

Whenever there is snow covering on the streets or highways in the Borough, in the discretion of the Borough Administrator or his/her designee, the following prohibitions shall take effect:

- A. Any vehicle parked in violation of this Chapter or abandoned on a public street shall be deemed to be a nuisance and a menace to public safety and any public safety officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage of such vehicle before redeeming possession thereof.
- B. This parking prohibition shall remain in effect until after the snow has ceased and the streets have been plowed for the full width as well as until parking will not interfere with the normal flow of traffic.
- C. During a snow emergency, if off-street parking is available, any vehicle shall not be parked on any street.
- D. 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 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 appropriate ice melt material, within 24 hours of daylight after the same shall fall or be formed thereon.

- E. The penalty provisions of Chapter 1 (§1-14) shall apply to a violation of this Ordinance. In addition, the Police Department shall have the option of towing any vehicle in violation of this Ordinance at the owner's expense.

- F. During a snow emergency, vehicles may be parked in the parking areas of Holmes A. Adams Recreation Complex, West Sylvania Avenue, notwithstanding the provisions of '95-4.

113-16. Removal costs.

In addition to the provision for penalties herein made for violations of this section, and in case such snow or ice shall not be removed from such sidewalks by the owner or owners, tenant or tenants, occupant or occupants, building superintendent, rental agent or person in charge of any premises, as provided in Subsection 113-15 D, the same shall be removed forth with and under the direction of the Director of Public Works, and the cost of such removal as nearly as can be ascertained shall be certified by the Director of Public Works to the governing body. The governing body shall examine such certification and, if found to be correct, shall cause such cost to be charged against such real estate so abutting or bordering upon such sidewalk or street, and the amount so charged shall forth with become a lien and a tax upon such real estate or land and be added to, recorded and collected in the same manner as the taxes next to be levied and assessed upon such premises and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes.

113-17. Depositing snow on street restricted.

No person, firm or corporation, the owner, tenant or occupant of any premises abutting on any street shall shovel, throw, cast, place or deposit any snow or ice into or upon any public street in the Borough, it being the intent and purpose of this provision to prohibit all such persons from shoveling, throwing, casting, placing or depositing snow and ice which accumulated on the private property abutting the street or sidewalk on the sidewalks or streets of the Borough.

Section 2. Severability. Each section of this ordinance is an independent section, and the holding of any section, or part thereof, to be unconstitutional, void or ineffective for any cause, shall not be deemed to affect the validity or constitutionality of other sections or parts thereof.

Section 3. This Ordinance shall become effective when passed and published as required by law.

**THE BOROUGH OF NEPTUNE CITY
Mary Sapp, Borough Clerk**

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday, February 23, 2015 at 7:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, March 9, 2015 at 7:00 p.m. or as soon thereafter as the matter may be reached, when objections, if any, to the passage of the Ordinance will be received. This Ordinance amends and supplements Chapter 113 entitled "Streets and Sidewalks" in the Borough.

**Mary Sapp
Borough Clerk**

Dated: February 23, 2015