

TOWNSHIP OF MAPLEWOOD



ORDINANCE

#2374-06

**AN ORDINANCE TO AMEND CHAPTER 239
OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD
ENTITLED "STREETS AND SIDEWALKS"**

"Interpretive Statement"

This ordinance will require the Township of Maplewood to repair any sidewalks that are damaged as a result of a falling Township tree.

BE IT ORDAINED, by the Township Committee of the Township of Maplewood (the "Township"), County of Essex, State of New Jersey, that Chapter 239 of the Code of Township of Maplewood, entitled "Streets and Sidewalks," be and is hereby amended as follows:

FIRST: Section 239-23, entitled "Maintenance of Sidewalks, Curbs and Gutters," shall read:

A. Any person owning any land fronting upon any public street or highway within the Township of Maplewood shall keep all sidewalks, curbs, monolithic curbs and gutters fronting said land in good repair.

B. Notwithstanding the provisions of Subsection A, any sidewalk, curb, monolithic curb and gutter damaged as a result of a fallen Township tree shall be replaced or repaired by the Township. Nothing herein shall impose liability on the Township for repairs to any sidewalk, curb, monolithic curb or gutter caused by the natural growth of trees.

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Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.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 according to 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 November 8, 2006, and that Committee met again on November 21, 2006, at 8:00 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