ORDINANCE 12-2024

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 166, SECTION 35 OF THE BOROUGH CODE ENTITLED 'STREETS AND SIDEWALKS' REGARDING HAZARDOUS SIDEWALK CONDITIONS

WHEREAS, the Borough Administrator has recommended that the Borough Code regarding hazardous sidewalk conditions be amended; and

WHEREAS, the Borough Council has determined that there is a need to approve such amendment to streamline the process regarding hazardous sidewalk conditions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Chapter 166 of the Borough Code entitled "Streets and Sidewalks," Sections 166-35 shall be amended as follows:

SECTION 1:

§ 166-35. Determination of hazardous condition; notice to be issued.

A. Any complaint, notice or other communication received by the Borough concerning the possible existence of a public safety hazard due to the absence or condition of sidewalks shall be forwarded to the Engineering Administrator, who shall arrange for an investigation as to whether a public safety hazard exists. The results of said investigation and a recommended determination as to whether the construction or repair of sidewalks should be required shall be reported to ~~the Borough Council~~ **the Director of Public Works or his/her designee**.

B. If the ~~Borough Council~~ **the Director of Public Works or his/her designee** determines that there is a need to construct or repair sidewalks, then the ~~Council~~ **the Director of Public Works or his/her designee** may ~~by adoption of a resolution~~ authorize service of a notice on the abutting owners or owners requiring the necessary specified work to be undertaken within a specified period of time of not less than 30 days from the date of service of such notice.

SECTION 2: All other provisions of the Ordinance not inconsistent herewith shall remain the same.

SECTION 3: This Ordinance shall take effect as provided by law.

ADOPTED AND APPROVED
April 22, 2024

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ROBERT H. CONLEY, Mayor

Attest:

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ELIZABETH OSBORNE, Borough Clerk

Introduced and passed: April 8, 2024
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