

# BOROUGH OF MIDLAND PARK

## ORDINANCE #03-2024

### AN ORDINANCE TO AMEND CHAPTER 14 OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “STREETS AND SIDEWALKS” (Fire Hydrants)

**BE IT ORDAINED** by the Mayor and Council of the Borough of Midland Park, in the County of Bergen, and State of New Jersey as follows:

#### **Section 1.**

Chapter 14 of the Code of the Borough of Midland Park, Streets and Sidewalks, §14-2, Removal of Impediments, §§14-2.1, Snow and Ice Removal, be and is hereby amended to read as follows:

##### **§14-2.1 Snow and Ice Removal.**

**a.** The owner or tenant of lands abutting or bordering upon the sidewalks of public streets in the Borough shall remove or cause to be removed from the sidewalks for a width of at least two feet of the paved portion of the sidewalk in front of or bordering on their lands all snow and ice from the sidewalk and shall remove any snow and ice blocking access to any crosswalk bordering on the lands within 24 hours of sunrise after the same shall be formed or fall thereon.

**b.** Any landowner or tenant thereon whose property abuts a fire hydrant on the street, sidewalk or other right-of-way shall remove or cause to be removed all snow and ice within three feet around the hydrant within 24 hours of sunrise after the same shall be formed or fall thereon.

#### **Section 2.**

Chapter 14 of the Code of the Borough of Midland Park, Streets and Sidewalks, §14-2, Removal of Impediments, §§14-2.3, Failure to Remove Ice and Snow, be and is hereby amended to read as follows:

##### **§14-2.3 Failure to Remove Ice and Snow.**

**a.** In case such owner or tenant of any land abutting or bordering upon the public right-of-way or sidewalks of any public streets of this Borough shall neglect or refuse to remove such snow and ice within 24 hours of daylight as required by Subsection 14-2.1 of this Section, then it shall be the duty of the Director to remove or cause to be removed the snow and ice from the sidewalks in front of or bordering on their lands.

**b.** In the event any owner or tenant of any land abutting a fire hydrant shall neglect or refuse to remove such snow and ice within 24 hours of daylight as required by Subsection 14-2.1 of this Section, then it shall be the duty of the Director to remove or cause to be removed the snow and ice from the area adjoining the hydrant in front of or bordering on their lands.

**Section 3.**

Chapter 14 of the Code of the Borough of Midland Park, Streets and Sidewalks, §14-2, Removal of Impediments, §§14-2.5, Costs and Charges, be and is hereby amended to read as follows:

**§14-2.5 Costs and Charges.**

The Administrator so removing or causing to be removed the snow, ice, grass, weeds or other impediments from any sidewalks, public right-of-way, sidewalks areas, or fire hydrant areas as herein required and provided shall certify the costs thereof to the Mayor and Council. The Mayor and Council shall examine the certificate of costs and if found correct shall, by resolution, cause the costs as shown thereon to be charged against the particular lands abutting or bordering such public right-of-way area, sidewalks or sidewalk areas, or fire hydrant areas. The amount so charged shall forthwith become a lien upon such land and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, shall bear interest at the same rate as taxes, and shall be collected and enforced by the Tax Collector in the same manner as taxes.

**Section 4.**

Chapter 14 of the Code of the Borough of Midland Park, Streets and Sidewalks, §14-2, Removal of Impediments, be and is hereby amended to add the following new Subsection to read as follows:

**§14-2.6 Fines and Penalties.**

Any person found guilty of violating the provisions of this Ordinance shall be subject to such fines and penalties as set forth in §1-5 of the Borough Code.

**Section 5. Inconsistent Ordinances Repealed.**

Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**Section 6. Severability.**

In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**Section 7. Effective Date.**

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

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**HARRY SHORTWAY, JR., Mayor**

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**WENDY MARTIN, RMC  
Borough Clerk**

<b>Member</b>	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
<b>Sansone</b>						
<b>Braunius</b>						
<b>Kruis</b>						
<b>DeLuca</b>						
<b>Peet</b>						
<b>DeBlasio</b>						

**Introduced: January 25, 2024  
Adopted: February 8, 2024**