

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2024-10

AN ORDINANCE AMENDING CHAPTER 312 OF THE CODE OF THE TOWNSHIP OF PEQUANNOCK AND ESTABLISHING A POLICY FOR REIMBURSEMENT FOR MAILBOXES DAMAGED BY TOWNSHIP VEHICLES.

BE IT ORDAINED by the Township Council of the Township of Pequannock, in the County of Morris and State of New Jersey, as follows:

Section 1. Chapter 312, “Streets and Sidewalks”, of the Revised General Ordinances of the Township of Pequannock, Section 312-55 “Use of right-of-way” shall be amended to read, in its entirety, as follows:

§ 312-55 **Use of right-of-way.**

- A. It shall be a violation of this article to place an encroachment, obstruction, or encumbrance in the right-of-way which interferes with the public use or impairs the public safety or welfare. Adjacent property owners or others who place in the right-of-way an encroachment, obstruction or encumbrance which does not interfere with the public use or impair the public safety or welfare do so at their own risk. Under no circumstances shall the Township be responsible to repair or replace personal property placed in the right-of-way if damaged by snowplow or other Township or provide compensation except for the payment for damaged mailboxes as set forth in Paragraph B below. A person placing an encroachment, obstruction, or encumbrance in the right-of-way shall indemnify the Township for any liability caused by the placement.
- B. Posts or other support for mailboxes may be located in the right-of-way in accordance with United States Post Office regulations. Such location of a post/mailbox should not create a hazard or an obstruction to passage of roadways, sidewalks, or street maintenance vehicles or snowplowing equipment. Should the Township, through its snow removal activities, destroy a post and/or mailbox properly placed in the right-of-way it will reimburse the property owner the sum of \$100. This reimbursement shall be available no more than once every five years. The property owner shall notify the Office of the Township Manager in writing no later than fifteen (15) calendar days from the date the mailbox was damaged. In order to qualify for reimbursement, the damage to the mailbox must be verified by the Director of Public Works or his designee, and the owner must sign a release prepared by the Township Attorney.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by.

Introduced: April 9, 2024

Adopted: April 23, 2024

Carol J. Marsh, Township Clerk

Ryan Herd, Mayor