

November 23, 2014

	AYE	NAY	ABSTAINED	ABSENT
S CM MARTIN	✓			
m CW LICATA	✓			
CM DICHIARA	✓			
DEPUTY MAYOR CIMA	✓			
MAYOR CARAFA	✓			

ORDINANCE # 2014-21

BOROUGH OF LODI
COUNTY OF BERGEN
STATE OF NEW JERSEY

December 20, 2014

	AYE	NAY	ABSTAINED	ABSENT
m CM MARTIN	✓			
CM LICATA	✓			
CM DICHIARA				✓
S DEPUTY MAYOR CIMA	✓			
MAYOR CARAFA	✓			

**AN ORDINANCE TO AMEND ORDINANCE NO. 241
AN ORDINANCE REGARDING SNOW AND ICE REMOVAL IN THE
BOROUGH OF LODI AND ESTABLISHING FEES AND PROVIDING
PENALTIES FOR THE VIOLATION THEREOF**

WHEREAS, the Borough has a substantial governmental interest in protecting the health and safety of its residents regarding snow and ice removal; and

WHEREAS, the Borough previously adopted Ordinance No. 241 regarding Snow and Ice Removal in the Borough, and the Borough deems it necessary to update and amend said Ordinance as indicated herein; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Lodi that Ordinance No. 241 is hereby amended as follows:

Article 1

SNOW AND ICE REMOVAL

- (1) Responsibility of Owner or Tenant. The owner or tenant in possession of any lands abutting or bordering upon the sidewalks and gutters of any public streets of the Borough of Lodi shall remove or cause to be removed all snow and/or ice therefrom, within 24 hours after the same shall fall or be formed thereon;
- (2) Failure to Comply. In cases where the owner or tenant shall have failed or refused to remove said snow and/ice within the time provided in Section (1) of this Ordinance the Borough Manager, or his designee, may remove or cause to be removed the same. In the event the Borough Manager, or his designee shall remove or cause to be removed the same, he shall certify the cost thereof to the Borough Manager and the Mayor and Council. Upon receipt of the certificate, the Mayor and Council shall examine the same and, if found correct, may cause such cost to be charged against the lands abutting as aforesaid. The amount so charged shall thereupon become a lien and tax upon such lands and shall be added to and become part of the taxes next to be levied and assessed upon such lands. Said amount shall bear interest at the same rate and shall be collected and enforced by the same officers and in the same manner as real estate taxes.

- (3) Enforcement, Violations and Penalties:
- A. The provisions of this chapter and article shall be enforced by the Lodi Police Department, the Supervisor of the Department of Public Works, and the Lodi Property Maintenance Officer;
 - B. Any person who violates the provisions of Section (1) of this Ordinance may, upon conviction thereof, be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 10 days, or both, in the discretion of the Judge of the Municipal Court. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
 - C. The imposition and collection of the penalty or penalties imposed by Subsection B of this Section shall not bar the right of the Borough to collect the costs of removal as provided by Section (2) of this Ordinance.

Article 2

In the event any section, part or provision of this Ordinance shall be held unconstitutional or otherwise invalid by any Court of competent jurisdiction, such determination shall not affect the validity of this Ordinance or the remaining provisions which shall remain in full force and effect.

Article 3

All other provisions of Ordinance No. 241 shall remain in full force and effect except as modified herein.

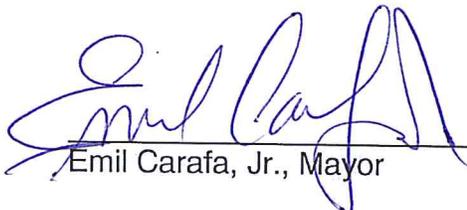
Article 4

All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Article 5

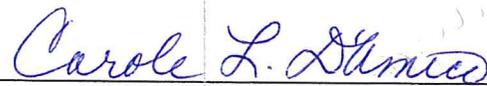
This Ordinance shall take effect ten (10) days after adoption and publication in the manner prescribed by law.

Introduced on this 22nd day of November, 2016.



Emil Carafa, Jr., Mayor

ATTEST:



Carole D'Amico, Municipal Clerk