

**ORDINANCE #09-18**  
**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE**  
**BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY**  
**AMENDING AND SUPPLEMENTING CHAPTER 228 OF THE REVISED**  
**BOROUGH CODE OF THE BOROUGH OF CHATHAM ENTITLED “SNOW**  
**AND ICE REMOVAL”**

**WHEREAS**, the last revision to Chapter 228, entitled “Snow and Ice Removal” was enacted in circa 1961; and

**WHEREAS**, the Director of Public Works has recommended changes to this Ordinance in order to ensure the orderly removal of snow and ice.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Chatham, County of Morris, State of New Jersey, as follows:

**SECTION 1.** Chapter 228 of the Code of the Borough of Chatham, entitled “Snow and Ice Removal” is amended and supplemented to add the heading “Article I, General Provisions”, immediately before Subsection 228-1.

**SECTION 2.** Chapter 228 of the Code of the Borough of Chatham, entitled “Snow and Ice Removal” is amended and supplemented to add the heading “Article II, Snow Plowing Operations” immediately before Subsection 228-2.

**SECTION 3.** Chapter 228 of the Code of the Borough of Chatham, entitled “Snow and Ice Removal” is amended and supplemented to add Subsections 228-4, 228-5, 228-6 and 228-7 to read as follows:

**“Section 228-4. Obstruction of Snow Plowing Operations Prohibited.**

No person shall interfere with the snow plowing of any portion of any street, avenue, public highway or public place within the Borough of Chatham by obstructing the travel or operation of a snow plowing vehicle operated on behalf of the Borough by placing any object, vehicle, or one’s own person in a manner that prevents movement of the vehicle past any point on any street, avenue, public highway or public place within the Borough of Chatham or prevents the movement or depositing of snow in any location.

**Section 228-5. No Snow to be Deposited on Streets.**

No person, including, but not limited to, any resident or contractor performing private snow plowing operations or clearing snow by shovel, plow or snowblower within the Borough, shall cause snow to be deposited from any premises within the Borough onto any street, avenue, public highway or public place within the Borough.

**Section 228-6. No Snow Plowing Against Opposite Curb.**

Snow shall not be plowed and piled from a driveway against the opposite curb. Snow shall be plowed back onto the property from which it was plowed or shoveled and feathered along the curb line of the same property so that piles do not extend into the street.

**Section 228-7. No Parking on Snow Covered Borough Streets.**

No car may be parked on any street, avenue, public highway or public place within the Borough of Chatham whenever snow has accumulated on the street, avenue, public highway or public place to such a depth that snow removal operations will be required.

The above parking prohibitions shall remain in effect after the snow has ceased until the streets, avenues, public highways and public places within the Borough of Chatham have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

The effectiveness of this subsection is contingent upon signs being erected as required by law.”

**SECTION 4.** Chapter 228 of the Code of the Borough of Chatham, entitled “Snow and Ice Removal” is amended and supplemented to add the heading “Article III, Enforcement Officer, Lien, Service of Summons and Complaint, Violation and Penalties” immediately after Subsection 228-7.

**SECTION 5.** Chapter 228 of the Code of the Borough of Chatham, Sections 228-4 to 228-8 are hereby renumbered to become Sections 228-8 to 228-12.

**SECTION 6.** Chapter 228 of the Code of the Borough of Chatham, Section 228-4, renumbered to become Section 228-8, is amended and supplemented to read as follows:

**“Section 228-8. Authorization to File Complaints for Violations; Enforcement Officer.**

All police officers are hereby specifically authorized and directed to file complaints for violations of this Chapter whenever the same shall come to their attention. Said complaints shall be processed through the Municipal Court as in the case of the violation of any municipal ordinance. The Chief of the Chatham Borough Police Department is hereby designated as the enforcement officer for the purposes of enforcement of the provisions of this article. All members of the Chatham Borough Police Department are hereby designated as assistant enforcement officers for the purposes of the enforcement of this article.”

**SECTION 7.** All other provisions of Chapter 228 not amended or supplemented herein remain in full force and effect.

**SECTION 8.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**SECTION 9.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**SECTION 10.** This ordinance shall take effect immediately upon final passage and publication as required by law.

INTRODUCED: October 26, 2009

ADOPTED: November 9, 2009

ATTEST:

BOROUGH OF CHATHAM

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Susan Caljean, RMC

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V. Nelson Vaughan, Mayor