

ORD.#33-2023

**An Ordinance of the Township of Mount Olive,
County of Morris, State of New Jersey,
Amending Chapter 347, Streets and Sidewalks,
of the Township Code to Codify a Limited Snow
Removal Program for Certain Sidewalks on
Smithtown Road**

CLERK:

Delivered to Mayor:

Date: 11/22/2023

Time: 9:00 am

Signed: 
Township Clerk
Michelle Masser

MAYOR:

Action by Mayor:

Approved: ✓

Date: 11/22/2023

Vetoed:

Date:

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: 
Mayor

CLERK:

Returned:

Date: 11/22/23

Time: 10:10 am

Not returned with in (10) days

Date:

Signed: 
Township Clerk
Michelle Masser

ORD.#33-2023

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY
OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 347,
STREETS AND SIDEWALKS, OF THE TOWNSHIP CODE TO CODIFY
A LIMITED SNOW REMOVAL PROGRAM FOR CERTAIN
SIDEWALKS ON SMITHTOWN ROAD**

WHEREAS, property owners, tenants and occupants of property located in the Township of Mount Olive are responsible for removing snow from sidewalks abutting or bordering their properties under Township Code § 347-15, enacted in accordance with N.J.S.A. 40:65-12; and

WHEREAS, the Department of Public Works has since 2021 performed snow removal for residents on Winchester Road, Block 910, Lots 17-25 in the Green Hill North development, whose sidewalks are located on Smithtown Road located directly behind homes; and

WHEREAS, these residents have no safe and practical way to access their sidewalks, as they must either walk around the entire block since many of the yards are fenced, or walk through backyard conservation easements with significant vegetative buffers planted on an incline, and furthermore receive little to no direct public benefit from the sidewalks, as opposed to residents with sidewalks abutting front and side yards; and

WHEREAS, the Township now desires to codify the snow removal program for these specific residents.

SECTION 1. Chapter 347, Streets and Sidewalks, is hereby amended to establish Article VI, Smithtown Road Sidewalk Limited Snow Removal Program, to read as follows:

Article VI. Smithtown Road Sidewalk Limited Snow Removal Program

§ 347-31. Definitions.

As used in this article, the following terms shall have the meanings indicated:

GREEN HILLS NORTH DEVELOPMENT

The Green Hills North development as approved by the Township of Mount Olive Planning Board on November 17, 1988.

SIDEWALK

A paved, surfaced or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

§ 347-32. Snow Removal Program

- A. Owners, tenants and occupants of property located on Winchester Avenue, Block 910, Lots 17-25, in the Green Hills North development of the Township of Mount Olive, are responsible, pursuant to § 347-15, for snow removal from sidewalks located directly

behind their homes, on Smithtown Road. However, these residents have no safe and practical way to access their sidewalks, as they must either walk around the entire block since many of the yards are fenced or walk through backyard conservation easements with significant vegetative buffers planted on an incline. These residents also receive little to no direct public benefit from the sidewalks, as opposed to residents with sidewalks abutting front and side yards.

- B. This article establishes a snow removal program for these residents, under which the Township Department of Public Works will perform snow removal for sidewalks on Smithtown Road, limited to those sidewalks located directly behind homes located on Winchester Road, Block 910, Lots 17-25, as shown in Schedule A.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 10/31/2023
Adopted: 11/21/2023
Effective Date: 1/14/2024

TOWNSHIP OF MOUNT OLIVE



Joe Nicastro, Township Council President

Attest: 11/21/23



Michelle Masser, Township Clerk