

**ORDINANCE NO. 21-19**

**ORDINANCE OF THE BOROUGH OF ROCKAWAY  
MAYOR AND COUNCIL  
AMENDING CHAPTER 217, STREETS AND SIDEWALKS,  
ARTICLE VI, REMOVAL OF SNOW, ICE AND OTHER  
OBSTRUCTIONS**

**WHEREAS**, the Code of the Borough of Rockaway provides for the mandatory removal of all ice and snow within twenty-four (24) hours after the same has been formed and fallen; and

**WHEREAS**, the Borough Council recognizes the significant snowfall that Northern New Jersey experiences and the difficulty that arises regarding the Fire Department's access to fire hydrants in the Borough; and

**WHEREAS**, the New Jersey State Legislature has considered legislation addressing this issue, as codified in N.J.S.A. 40:65-12.1(b)(2) allowing the Borough to adopt an ordinance or resolution, as applicable, directing the owner of any real property abutting a fire hydrant to clear such fire hydrant of snow, within twenty-four (24) hours of snow coverage; and

**WHEREAS**, the New Jersey state legislature in N.J.S.A. 40: 65-12.1(c) further provides that a municipality may impose a fine of not more than seventy-five and 00/100 dollars (\$75.00) if a party responsible for clearing a fire hydrant fails to perform the required clearance within a specified time and the municipality or any department thereof performs the clearance; and

**WHEREAS**, the Borough Council has determined that it would be in the best interest of the Borough to adopt an ordinance addressing access to fire hydrants and clearing of snow coverage around fire hydrants in order to protect the health, safety and welfare of the residents and tax payers of the Borough.

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

Section I – Chapter 217, Streets and Sidewalks

1. Section 217-66 is hereby added under Chapter 217, Streets and Sidewalks, Article VI, Removal of Snow, Ice and Other Obstructions, as follows:

"§ 217-66. Clearance of Fire Hydrants.

- A. The owner, tenant, occupant or other person having charge of any dwelling, store, building or lot within the Borough of Rockaway shall, within twenty-four (24) hours after the cessation of every fall of snow, slush or sleet or the formation of ice upon a fire hydrant abutting any such dwelling, store, building or lot, cause the snow, slush, sheet or ice to be removed from the fire hydrant to a three (3) foot clearance around the fire hydrant.
- B. If the party responsible for fire hydrant clearance under this section fails to perform the required clearance within the specified time, the Borough, or any department thereof, may perform the clearance and bill the responsible party no more than seventy-five and 00/100 dollars (\$75.00) for this service.
- C. Any monies collected by the Borough, or any department thereof, to perform the required fire hydrant clearance, shall be deposited into the Borough fire department's training fund account to be used for training and training related purchases.

Section II

1. This Ordinance may be renumbered for codification purposes.
2. All Ordinances of the Borough of Rockaway which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

4. This Ordinance shall take effect as provided by law.

DATE: October 24, 2019

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Russell Greuter, Mayor

**CERTIFICATION**

I, PATRICIA BUSSOW, Borough Clerk of the Borough of Rockaway, in the County of Morris, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at a meeting held on October 24, 2019.

Patricia L. Bussow, RMC  
Borough Clerk