

**Ordinance Introduced in First Reading November 27;
Public Hearing Tuesday, December 18, 2018 at 4:30 p.m.**

18-015 G

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON
BY AMENDING CHAPTER III, POLICE REGULATIONS, CHAPTER VII, TRAFFIC,
CHAPTER VIII, BUILDING AND HOUSING, CHAPTER IX,
SEWER AND WATER AND CHAPTER XIII, STREETS AND SANITATION**

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter III (Police Regulations), Chapter VII (Traffic), Chapter VIII (Building and Housing), Chapter IX (Sewer and Water) and Chapter XIII (Streets and Sanitation) of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend *Chapter III (Police Regulations)* to amend Section 3-4 to include provisions for bamboo; *Chapter VII (Traffic)* to amend Schedule I regarding no parking zones on Borough streets; *Chapter VIII (Building and Housing)* to amend Section 8-1.3 to correct a typo; *Chapter IX (Sewer and Water)* to amend Section 9-1 regarding drain water, and *Chapter XIII (Streets and Sanitation)* Section 13-7 to add snow removal to the Clean Communities Program Section *of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):*

SECTION 1

That Chapter III, Police Regulations, shall be amended to as follows:

**CHAPTER III
POLICE REGULATIONS**

3-1 PENALTY through 3-3 MINIMUM CLEAR SIGHT REQUIRED AT STREET INTERSECTIONS.

No change.

3-4 OBNOXIOUS GROWTHS, TRASH AND DEBRIS.

3-4.1 Preamble.

No change.

3-4.2 Existence of Obnoxious Growths Reported.

Whenever the Code Enforcement Officer, Chief of the Fire Department, Chief of Police or Health Officer of the Borough shall determine that there exists upon any lands lying within the limits of the Borough brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris, removal of which may be necessary and expedient for the public health, safety or general welfare or to eliminate a fire hazard, he shall file with the mayor and council a written report identifying the property and describing the brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris, removal of which may be necessary and the reason or reasons for which such removal may be necessary. For

the purposes of this chapter, the term “bamboo” shall mean any monopodial or running tropical or semi tropical grass or plant.

3-4.3 Removal Ordered by Code Enforcement or Council; Notice to Owner.

After receipt of such report, the Mayor and Council shall proceed to ascertain the condition existing upon and with respect to such lands and if the Mayor and Council determines that the removal of such brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris is necessary and expedient for the preservation of the public health, safety or general welfare or to eliminate a fire hazard, the Mayor and Council shall adopt a resolution to that effect. The resolution shall also direct that the Code Enforcement Officer of the Borough give notice in writing to the owner or owners, tenant or tenants of such lands to remove such brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris within ten (10) days after such notice. Such notice shall be given by registered mail, return receipt requested, directed in case of an owner to the address of such owner as the same appears upon the last tax duplicate of the Borough and in the case of a tenant to the street address of the lands in question.

3-4.4 Duty of Owner to Remove Within Time Permitted.

It shall be the duty of the owner or tenant of such lands to remove such brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris within ten (10) days after notice is given as hereinabove provided.

3-4.5 Borough to Remove; Cost to be Lien.

Should the owner or tenant to whom such notice is given fail to remove such brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris within the ten (10) day period prescribed in such notice, the superintendent of streets of the Borough shall proceed to remove such brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris or cause the same to be removed under his direction and completion of such removal shall certify the cost thereof to the Mayor and Council. The Mayor and Council shall examine the certificate and if it shall be found correct, the Mayor and Council shall cause the cost as thereon to be charged against the lands from which said brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, bamboo that is extended onto neighboring property, filth, garbage, trash and debris shall have been removed; and the amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes and shall be controlled and enforced by the same officers and in the same manner as taxes.

3-5 INOPERABLE MOTOR VEHICLES AND TRAILERS through 3-16 CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITY—HOURS OF OPERATION.

No change.

SECTION 2

That Chapter VII, Traffic, shall be amended to as follows:

CHAPTER VII TRAFFIC

7-1 WORDS AND PHRASES through 7-12 VIOLATIONS AND PENALTIES.

No change.

SCHEDULE I NO PARKING

In accordance with the provisions of subsection 7-3.3, no person shall park a vehicle at any time upon any of the following described streets or parts of streets.

Allen Street	West	Between West River Road and Church Street.
Allen Street (Ord. No. 16-006G § 5)	East	Between West River Road and 125 feet south thereof.
Avenue of Two Rivers	a. East	From the south curblineline of Ridge Road 200 feet southerly thereof.
	b. West	From Bay Street to Ridge Road.
Avenue of Two Rivers South	Both	Between its southerly terminus and a point 450 feet northerly therefrom.
Bay Street	South	Entire length.
Bellevue Avenue	West	Between Rumson Road and 600 feet south of Ridge Road.
Bingham Avenue	West	Between Ridge Road and South Cherry Lane.
Blackpoint Road	a. North	For a distance of 60 feet in an easterly direction from East River Road.
	b. South	From East River Road to Center Street.
Blossom Road	West	Between Ridge Road and Robin Road.
Bruce Place	South	Entire length.
Cedar Avenue	East	Entire length.
Church Street	North	Between Lafayette Street and Bingham Avenue.
<u>Crabapple Lane</u>	<u>East</u>	<u>Between North Cherry Lane and South Cherry Lane.</u>
<u>Dogwood Lane</u>	<u>East</u>	<u>Between North Cherry Lane and South Cherry Lane.</u>
East River Road	East	From Wilson Circle to Meadowbrook Avenue.
East River Road	East	From Blackpoint Road 40 feet north to <u>Ridge Road.</u>
East River Road	North	From the northeast corner of North Park Avenue in an easterly direction for a distance of 265 feet.
East River Road	West	Between Bingham Avenue and Ridge Road.
First Street	East	From the Navesink River to a distance 290 feet south thereof.
First Street	East	No parking/loading zone here to corner 77 feet north of West River Road.
First Street	West	Between the Navesink River and Church Street.
Forrest Avenue	West	From Ridge Road to Narumson Street.
Hance Road	East	For a distance of 1,875 feet in a northerly direction from Rumson Road.
Holly Street	South	Entire length.
Hunt Street	South	Entire length.
Lafayette Street	a. West	Beginning 130 feet from the northerly curblineline of West River Road running in a northerly direction to its terminus at the Navesink River.
	b. West	From West River Road to Narumsunk Street.
Maple Avenue	East	Entire length.
Maplewood Avenue	North	Entire length.

Meadowbrook Avenue	North	Entire length.
Navesink Avenue	Both	From the northerly portion of BlackpointHorseshoe to the Navesink River.
<u>North Cherry Lane</u>	<u>South</u>	<u>Between Crabapple Lane and Bingham Avenue.</u>
SCHEDULE I NO PARKING – Continued		
<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
North Park Avenue	East	Between East River Road and Oak Tree Lane.
Oak Lane	East	Entire length.
Oakwood Lane	South	Entire length.
Packer Avenue	Both	Entire length.
Ridge Road	North	Between Forrest Avenue and Bingham Avenue.
Ridge Road	Both	From the east curb of Bellevue Avenue in an easterly direction for a distance of 310 feet.
Ridge Road	Both	From the west curb of Bellevue Avenue in a westerly direction for a distance at 100 feet.
Ridge Road	South	For a distance of 95 feet in an easterly direction with its intersection with the easterly line of Bellevue Avenue.
Ridge Road	South	Between Bingham Avenue and Blossom Road.
Rumson Road	North	Entire length.
Rumson Road	South	Entire length.
Second Street	West	Entire length.
Shrewsbury Drive	South	Between Navesink Avenue and Ward Avenue.
<u>South Cherry Lane</u>	<u>South</u>	<u>Between Dogwood Lane and Bingham Avenue.</u>
South Ward Avenue	East	From Rumson Road to Lincoln Avenue.
South Ward Avenue	West	From Rumson Road to Shrewsbury Drive.
Third Street	West	Between West River Road and Church Street.
Ward Avenue	East	Entire length.
Ward Lane	South	Entire length.
	West	For a distance of 100 feet in a southerly direction from the curbline of West River Road.
Washington Street	a. East	Between the Navesink River and Church Street.
	b. West	Between Church Street and Narumsunk Street.
<u>West Cherry Lane</u>	<u>East</u>	<u>Between North Cherry Lane and South Cherry Lane.</u>
West River Road	South	Between Buena Vista Avenue and Bingham Avenue.
West River Road	North	70 feet east of First Street.
West River Road	North	70 feet west of First Street.
West River Road	North	70 feet east of Lafayette Street.
West Street	North	Entire length.
Windmill Lane	East	Entire length.

SCHEDULE IA PARKING RESTRICTED LOT ADJACENT TO FIRE COMPANY

through

SCHEDULE XVI SPEED LIMITS

No change.

SECTION 3

CHAPTER VIII BUILDING AND HOUSING

8-1 STATE UNIFORM CONSTRUCTION CODE.

8-1.1 Enforcing Agency Established through 8-1.2 Smoke Alarm Inspection.

No change.

8-1.3 Fee Schedule.

The fee for a construction permit shall be the sum of the subcode fees listed in a. through o. hereof and shall be paid before the permit is issued as determined by the construction official.

a. *General. through l. Plumbing Subcode Fees.*

No change.

m. *Fire Protection Subcode Fees.*

1. New Construction, Renovations, Alterations or Repairs through 2.

No change.

3. Special Fixtures and Equipment.

(a) Fire suppression systems, sprinkler systems, hood systems, and all other applications of fire suppression systems. The fees for a ~~period~~ permit shall be two hundred (\$200.00) dollars plus four (\$4.00) dollars per head.

(b) through (g)

No change.

4. No change.

n. *Electrical Subcode Fees through p. Inspections by Borough Engineer.*

No change.

8-1.4 Biannual Report: Recommending New Fee Schedule through 8-1.6 Fire Limits.

No change.

8-2 UNFIT BUILDINGS through 8-7 RENTAL PROPERTY—REGISTRATION REQUIRED.

No change.

SECTION 4

That Chapter IX, Sewer and Water, shall be amended to as follows:

CHAPTER IX SEWER AND WATER

9-1 SEWER CONNECTIONS.

9-1.1 Definitions.

As used in this chapter:

a. *Building* through e.

No change.

f. Drain water shall mean drainage from or of ground, storm or rain water or such natural surface or subsurface water as may accumulate in cellars, basements or low ground areas or which has been collected from structures, yards, pools, ponds or driveways, such as but not limited to roof areas, downspouts, yard drains or driveway drains.

9-1.2 Compliance with Regulations Required; Fees to be Paid through 9-1.6 Owner Neglects to Connect; Connection by Borough.

No change.

9-1.7 Connections Prohibited.

No owner, occupant, or tenant of residential, educational, religious, commercial, or industrial properties situated in the Borough of Rumson, or any plumbing contractor hired by same, shall connect or maintain the connection or permit to be connected or permit the maintenance of the connection of drain water, any sump pumps, roof leaders, roof drains, swimming pools, ornamental ponds, water cooled refrigeration, air conditioning units, fire sprinkler systems, and any other similar devices with the Borough of Rumson's and/or the Two Rivers Water Reclamation Authority's sanitary sewer system.

9-1.8 Disconnection.

No change.

9-1.9 Inspection.

a. *Existing Units* through c. *Commercial Sewer Line Grease Traps.* d. *Certified Inspections and Reports.*

No change.

1. through 3.

No change.

4. Drain water inspections are required prior to Certificate of Occupancy being issued. Inspection shall include the location of all discharges and roof leaders, roof drains, structures, yards, pools, ponds or driveways, such as but not limited to roof areas, downspouts, yard drains or driveway drains. If the connection is found at the time of the inspection, a violation shall be issued.

9-1.10 Violations and Penalties.

Any person(s), firm(s) or corporation(s) who violates or neglects to comply with any provisions of this section or any rule or regulation promulgated pursuant thereto, shall be subject to the penalty as stated in Chapter III, Section 3-1. In the case of an illicit connection or an illicit connection of drain water, a \$2000.00 fine will be issued per violation.

9-2 SEWER SERVICE CHARGES through 9-3 FIRE HYDRANTS.

No change.

SECTION 5

That Chapter XIII, Streets and Sanitation, shall be amended to as follows:

**CHAPTER XIII
STREETS AND SANITATION**

13-1 REGULATIONS CONCERNING STREETS through 13-6 MANDATORY RECYCLING PROGRAM.

No change.

13-7 CLEAN COMMUNITIES PROGRAM.

13-7.1 Littering Prohibited through 13-7.10 Commercial Establishments and Residences.

No Change

13-7.11 Snow Removal.

The depositing of snow and ice from private property onto public streets is prohibited. No owner, tenant, occupant, or landscaper of any premises abutting on any street shall throw, place, or deposit snow or ice into or on any Borough street. It is the intent and purpose of this provision to prohibit all persons from throwing, casting, plowing, placing or depositing snow and ice which accumulates on or within the private property in the Borough onto streets in the Borough.

~~13-7.11 Violations and Penalties.~~

13-7.12 Violations and Penalties.

Any person(s), firm(s) or corporation(s) who violates or neglects to comply with any provision of this section or any rule or regulation promulgated pursuant thereto, shall be subject to the penalty as stated in Chapter III, Section 3-1.

SECTION 6

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7

This ordinance shall take effect upon final passage and publication according to law.

Introduced: November 27, 2018.