

ORDINANCE 2026-05

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF SOUTH RIVER, CHAPTER 289, ARTICLE II, SECTION 289-5, TITLED "REMOVAL OF SNOW AND ICE," TO PROHIBIT THE PLACEMENT, DEPOSIT, OR DUMPING OF ANY MATERIAL, OBJECT, SNOW, ICE, DEBRIS, OR OTHER SUBSTANCE IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, pursuant to N.J.S.A. 40:65-12, the governing body of the municipality is expressly authorized to make, amend, repeal, and enforce ordinances to compel the removal of snow and ice from sidewalks and gutters within the public right-of-way; and

WHEREAS, the Mayor and Council of the Borough of South River find it necessary and desirable to enhance pedestrian and vehicular safety, prevent obstruction of public ways, and promote the general welfare by prohibiting the placement of snow, ice, and other materials in the public right-of-way; and

WHEREAS, the current provisions of Section 289-5 of the Borough Code contain a reserved subsection B that may be repealed and replaced with the prohibition set forth herein; and

WHEREAS, the Mayor and Council deem this amendment to be in the best interest of the health, safety, and welfare of the residents and visitors of the Borough of South River;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South River, County of Middlesex, State of New Jersey, as follows:

SECTION 1. AMENDMENT OF CODE

The Code of the Borough of South River, Chapter 289, Article II, Section 289-5, Subsection B is hereby amended to read as follows:

- B. Except as expressly permitted under Subsection A of this Section for the lawful treatment of ice upon sidewalks where removal is impractical, no person shall move, place, deposit, dump, or cause to be placed any material, object, snow, ice, debris, or other substance within the public right-of-way, including all public sidewalks and roadways.

SECTION 2. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect. The provisions of this Ordinance are declared to be severable.

SECTION 3. REPEALER

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. Nothing herein is intended to repeal or abrogate any existing ordinance or resolution that is not in conflict with this Ordinance.

SECTION 4. CONFLICT WITH OTHER LAWS

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance, law, rule, or regulation of the State of New Jersey, the more restrictive requirements shall apply.

SECTION 5. CODIFICATION

This Ordinance shall be a part of the Code of the Borough of South River as though codified and set forth fully herein. The Borough Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on March 2nd, 2026, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March, 2026, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 3-2-26

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman DaSilva</i>			X			
<i>Councilman Donato</i>			X			
<i>Councilman Dziemian</i>		X	X			
<i>Councilman Giannakopoulos</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President DeSantis</i>	X		X			

Alyssa Hager, RMC
Municipal Clerk
Borough of South River