

TOWNSHIP OF WALL

ORDINANCE NO. 20-1993

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING SECTION 3-5, "CUTTING BRUSH AND HEDGES AT INTERSECTIONS" OF CHAPTER III, "REGULATORY ORDINANCES" OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977," AS AMENDED AND SUPPLEMENTED.

WHEREAS, N.J.S.A. 40:48-2.26 and 2.27 provides municipalities with the authority to cut brush and hedges at intersections; and

WHEREAS, the County Road Department and Shade Tree Commission is restricted in eliminating plant growth that restricts sight distance because sight clearing has been made a municipal function; and

WHEREAS, the Municipality has the authority to make the County an officer of the Municipality to carry out sight clearing functions without requiring fees or charges to be levied against the affected property owners;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth in the State of New Jersey as follows:

Section 1. Chapter III "Regulatory Ordinances", Section 3-5 "Cutting Brush and Hedges at Intersections", of " The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented be and is hereby further amended and supplemented by the addition thereto of the following:

"3-5.4 Monmouth County Sight Clearing Authority.

Where the growth of brush, hedges and other vegetation creates a restriction of sight distance along county roadways within the Township, the County of Monmouth is hereby designated as an officer of the Township and is empowered to cut any brush, hedges or other plant life growing within 10 feet of any county roadway and within 25 feet of the intersection of two county roadways to a height of not more than 2 1/2 feet. The cost of cutting any brush and hedges pursuant to this subsection shall not be levied against the affected property owners."

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon its passage and publication according to law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on *August 25, 1993* and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New

Jersey, on *Sept. 14, 1993* at 8 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

JOSEPH L. VERRUNI,
Acting Township Clerk