

**AN ORDINANCE AMENDING CHAPTER 20, SECTIONS 4.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(Exceptions to Obstruction of Streets and Sidewalks)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 20 of the Revised General Ordinances of the
Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to revise the municipal code provision prohibiting obstructions on the streets and sidewalk to change the exception language as to sports apparatuses such as basketball backboards, hockey nets, volleyball nets, and other recreation equipment to remove some of the limiting language related to these types of apparatuses.

**II. CHAPTER 20, SECTION 4.2 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

20-4.2 Exceptions.

This section shall not apply as follows:

- a. Where the obstruction is caused by the loading or unloading, in the ordinary course, of goods, wares or merchandise to and from vehicles in such a manner as to cause a minimum of obstruction which is necessary and unavoidable.
- b. Receptacles for garbage or refuse lawfully placed on or in sidewalk or street areas for collection.
- c. Space within three (3) feet of the front line of any building, dwelling, house or shop if such space is appropriated or used by the occupant or owner thereof.
- d. Any "outdoor sale" approved or permitted pursuant to Chapter XXV, Land Use Regulations, of the Revised General Ordinances of West Orange.
- e. On any street lawfully closed for a block party or similar governmentally sanctioned social event.
- f. Apparatus such as basketball backboards, hockey nets, volleyball nets, and similar recreational equipment shall be portable; and shall not be permanently placed on or immediately contiguous to a street or sidewalk unless it is permanently affixed entirely onto the apparatus owner's real property and not onto any public right of ways or easements. Additionally, the described apparatus shall not be left unattended in a roadway or on a sidewalk at any time when not in use and must be equipped with reflectors or similar warning devices to facilitate recognition. The recreational apparatus shall not be utilized after dusk 9:00 p.m., nor before 7:30 a.m. prevailing time. Notwithstanding the foregoing, no apparatus shall be permitted to hang over a roadway so as to interfere with

the safe passage of buses or similar high clearance vehicles and no apparatus shall be permitted to hang over a sidewalk so as to interfere with the ability of pedestrians to utilize the sidewalk.

- g. Citizens assume all risk and liability when utilizing portable recreational apparatus on or immediately adjacent to any roadway

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

ROBERT D. PARISI, MAYOR

**SUSAN McCARTNEY,
COUNCIL PRESIDENT**

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

INTRODUCED: June 26, 2018

ADOPTED: July 17, 2018

Legislative History

This ordinance is drafted to revise the municipal code provision prohibiting obstructions on the streets and sidewalk to change the exception language as to sports apparatuses such as basketball backboards, hockey nets, volleyball nets, and other recreation equipment to remove some of the limiting language related to these types of apparatuses.

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