

**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.

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**ROBERT D. PARISI, MAYOR**

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**SUSAN McCARTNEY,  
COUNCIL PRESIDENT**

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**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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