

**CITY OF NORTHFIELD, NEW JERSEY
ORDINANCE NO. 6- 2017**

**AN ORDINANCE AMENDING CHAPTER 215, CHAPTER 268 AND
CHAPTER 330 OF THE CODE OF THE CITY OF NORTHFIELD**

WHEREAS, City of Northfield Code Section 215 governs land use and development in the City of Northfield; and

WHEREAS, City of Northfield Code Section 268 governs property maintenance in the City of Northfield; and

WHEREAS, City of Northfield Code Section 330 governs streets and sidewalks in the City of Northfield; and

WHEREAS, the Council for the City of Northfield desires to amend certain sections/sub-sections of Chapters 215, 268 and 330 of the Northfield Code; and

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Northfield, County of Atlantic, and State of New Jersey that Chapters 215, 268 and 330 of the Code of the City of Northfield are hereby amended as follows (added text underlined; deleted text stricken):

Chapter 215 – Land Use and Development

Article II - Definitions

§ 215-5 Terms defined.

Certain words, phrases, and terms in this chapter are defined for the purpose herein as follows:

MAJOR DEVELOPMENT

Major development means any “development” that provides for ultimately disturbing one or more acres of land or increasing impervious surface by one-quarter or more. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Projects undertaken by any government agency which otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development”.

Article XII – Tree Removal and Protection

§ 215-175 Enforcement; violations and penalties.

- A. No Change.
- B. No Change.
- C. Upon conviction in Municipal Court for removal of any tree without the requisite removal/protection permit, the property owner and/or person(s) who actually cut down such tree shall be subject to a term of imprisonment not exceeding 90 days, a period of community service not exceeding 90 days or a fine as follows:~~of a minimum of the following:~~
 - (1) Residential sites.
 - a) Eight inches to 12 inches DPM: minimum of \$1,000 per tree; maximum of \$2,000 per tree.
 - b) Twelve inches or larger DPM: minimum of \$2,000 per tree.
 - (2) Commercial or residential subdivisions.
 - a) Eight inches to 12 inches DPM: minimum of \$2,000 \$2,500 per tree.
 - b) Twelve inches or larger DPM: minimum of \$2,000 \$5,000 per tree.

Chapter 268 – Property Maintenance

Article V – High Grass and Weeds

§ 268-28 Violations and penalties.

In the event of the failure of the owner of said land to remove or abate such condition existing thereon within the time required after the service of the notice hereinbefore mentioned, and in addition to the remedies hereinbefore provided, such person shall be in violation of this article. Penalties for violations shall be imposed against an owner of said land as follows: a fine of up to \$250 for a first offense; a fine of up to \$500 for a second offense; and a fine of up to \$2,000 for a third offense. For the fourth offense and each subsequent offense thereafter, the owner shall appear in Municipal Court and, upon conviction thereof by the Judge of the Municipal Court of the City of Northfield, shall be punished by a maximum fine not to exceed \$2,000 ~~\$2,500~~ per occurrence and/or, in the discretion of the Court, imprisonment in such a place as is maintained for offenders in the City of Northfield for a period not to exceed 30 days. Each day during which the violation continues after notice shall be considered as a separate offense.

Chapter 330 – Streets and Sidewalks

Article II - Excavations in Streets

§ 330- 15 - Newly paved streets.

No permit shall be issued for any street opening which would disturb the pavement of any road having been entirely constructed, reconstructed or overlaid by the City of Northfield or its agents or contractor(s) until a period of five years after the completion of said construction, reconstruction or overlay, except in the event of an emergency or hardship as described below. The five- year period as articulated herein shall be calculated from December 31 of the year in which said road was constructed, reconstructed or overlaid and run five years thereafter.

- A. Emergency opening. In the event that an entity shall be required to open a street and/ or roadway as a result of an emergency, said emergency opening shall be reviewed by the City Engineer, and if the City Engineer shall determine that no such emergency existed, then the entity so opening the street and/ or roadway shall have a fine imposed upon such entity in the amount of \$2,000 ~~\$5,000~~ for any ~~the first~~ nonemergency opening, ~~a fine of \$7,500 for a second nonemergency opening, and a fine of \$10,000 for a third and any subsequent nonemergency openings.~~

Article III – Traffic Control Standards for Construction and Road Repairs

§ 330-38 Violations and penalties.

A. Any person, contractor, or utility who commits a violation of this article shall, upon conviction thereof, for the first offense, pay a fine of not less than \$500 nor more than \$1,000 and/or may be imprisoned in the county jail for a term not exceeding 90 days, or both; for a second offense, upon conviction thereof, pay a fine of not less than \$1,000 nor more than \$2,000 ~~\$2,500~~ and/or may be imprisoned in the county jail for a period of 90 days.

B. No Change.

REPEALER: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SEVERABILITY: If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

EFFECTIVE DATE: This ordinance shall take effect upon final passage and publication in accordance with law.

Mary Canesi, RMC
Municipal Clerk

Erland Chau
Mayor

The above Ordinance was introduced and passed on its first reading at a regular meeting of the Council of the City of Northfield, New Jersey held on May 16, 2017 and will be taken up for a second reading, public hearing and final passage at a meeting of said Council held on May 30, 2017 in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING:	May 16, 2017
PUBLICATION:	May 20, 2017
SECOND READING:	May 30, 2017
PUBLICATION:	June 3, 2017