

2013-30

AN ORDINANCE CONCERNING  
SIDEWALK REPAIRS AND AMENDING  
THE "CODE OF THE BOROUGH OF  
PRINCETON, NEW JERSEY, 1974".

BE IT ORDAINED by the Mayor and Council of Princeton as follows:

Section 1. Section 28-13 of the "Code of the Borough of Princeton, New Jersey, 1974"

which sets forth the responsibility for the repair of sidewalks is amended to read as follows:

**Sec. 28-13. Sidewalks, curbs and gutters to be constructed, repaired, and maintained according to borough specifications; approval of work municipal engineer.**

(a) All sidewalks, curbs and gutters in the municipality shall be constructed, repaired and maintained in accordance with specifications and requirements established by the mayor and council and on file in the office of the municipal engineer. All sidewalks shall be repaired and maintained on level and of sound material by the abutting property owner, in accordance with said specifications and requirements. All such work shall conform as nearly as practicable to the established grade of the highway, or any part thereof, which shall have been previously established by law and shall be done subject to the inspection and approval of the municipal engineer.

(b) Repairs necessitated by Municipal Trees.

(1) Notice. If any sidewalk is found to have been raised and/or damaged by municipally-owned trees, the owner of the property in front of which the sidewalk is located shall have the primary responsibility for notifying the Engineering Department in writing of the condition.

(2) Inspection. The Engineering Department shall perform an inspection of the sidewalk after receiving such notice and shall consult with the Municipal Arborist and/or the Director of Infrastructure and Operations as to any remedial measures available to resolve the condition. The available remedies to be considered shall include but shall not be limited to removal of the tree and/or rerouting, replacing or grinding of the sidewalk.

(3) Remediation. Once the appropriate remedy is approved by the Municipal Engineer, he shall cause to be performed, all work necessary to implement the remedial measures as soon thereafter as is reasonably possible, subject to available funding.

(4) Cost of repair. The cost of any work done to remove, repair and/or replace the tree and/or sidewalk shall be borne by the municipality.

Section 2. To the extent of any inconsistency between the terms and conditions of this Ordinance and the current requirements for sidewalk repairs in Chapter 19, Article V of the "Code of the Township of Princeton, New Jersey, 1968", the terms and conditions of this Ordinance shall prevail. It is the intention of the Mayor and Council to have the above-referenced amendments to the requirement for sidewalk repairs to be applicable throughout the entire Princeton community.

Section 3. This Ordinance shall take effect upon its passage and publication and provided for by law.

I, Kathleen K. Brzezynski, Deputy Clerk of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of Princeton at its meeting held December 9, 2013.



Kathleen K. Brzezynski  
Deputy Clerk