

**BOROUGH OF ALLENDALE
ORDINANCE 13-06**

**AN ORDINANCE TO AMEND
CHAPTER 233 OF THE CODE ENTITLED “STREETS AND
SIDEWALKS”**

BE IT ORDAINED, by the Governing Body of the Borough of Allendale,
County
Bergen and State of New Jersey that Chapter 233 is amended by adding thereto a
new Article IV A as follows:

Section I.

**Article IVA:
Sidewalk Or Curb Damage Caused By Shade Tree**

Section 233-26A: **Responsibility Of Borough To Repair**

Notwithstanding the provisions of Article IV, Sections 233-22 to 26,
whenever the Shade Tree Commission or a designee of the Borough certifies to
the Municipal Governing Body that any sidewalk or curb is in need of
construction, repair, alteration or relaying which is caused by a Shade Tree
planted or controlled by the Borough within the Borough’s right of way, the
Borough shall be responsible for any repair work.

Section II:

Severability

If any section, subsection, paragraph, sentence, clause, phrase, or word
contained in this ordinance shall be declared invalid for any reason whatsoever,
such decision shall not affect the remaining portions of this ordinance, which

shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable.

Section III.

Repealer

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict.

Section IV.

Effective Date

This ordinance shall take effect upon passage and publication as required by law.