

**TOWNSHIP OF TEWKSBURY  
HUNTERDON COUNTY, NEW JERSEY  
ORDINANCE NO. XXX-XXXX**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON  
COUNTY, NEW JERSEY AMENDING TITLE 12, STREETS, SIDEWALKS  
AND PUBLIC PLACES, CHAPTER 12.16.010, OBSTRUCTION OF  
STREETS PROHIBITED, OF THE TOWNSHIP CODE OF ORDINANCES**

**WHEREAS**, the Township of Tewksbury (the “Township”) regulates the maintenance of its rights of way located along public roads; and

**WHEREAS**, the Township Committee finds that it is in the best interests of the Township and its residents to clarify the Township’s long-standing requirement that the removal of dead, diseased and dangerous trees be removed from its rights of way.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

**SECTION 1.** Title 12, Streets, Sidewalks and Public Places, Chapter 12.16.010, Obstruction of streets prohibited, of the Township Code of Ordinances is hereby amended as follows:

12.16.010 – Obstruction of streets prohibited.

- A. No person other than an employee or contractor of the township acting in his capacity as such shall, unless with prior authorization from the township, place, or cause to be placed, or permit to be maintained, on the traveled surface, shoulder or right-of-way of any street or road accepted or maintained by the township, any wall, fence, structure, tree, shrub, planting, stones, rocks, gravel, snow, ice, mud, dirt or other material in such manner that the same creates a hazard to, or impedes the safe and unobstructed use of, or vehicular passage upon, such street or road.
- B. Existing walls, fences, structures, trees, shrubs, plantings, stones, rocks, or other materials within the right-of-way of any street or road accepted or maintained by the township shall not be permitted to remain or be replaced following infestation, disease, damage or death in the case of trees, shrubs or plantings, or be reconstructed, repaired, enlarged or replaced in the case of all items in the right-of-way, if the same creates a hazard to, or impedes the safe and unobstructed use of, or vehicular passage upon, such street or road unless prior authorization is granted by the township. In appropriate circumstances such authorization may be granted or deemed permitted pursuant to the provisions of Chapter 12.08, "Driveway Construction Standards," or Chapter 12.12, "Excavations," of this Code, or

historic preservation regulations. The township may maintain, through mowing or otherwise, any right-of-way, but shall have no continuing obligation to do so. Any such township maintenance of a right-of-way shall not affect any other provision of this Chapter.

**SECTION 2.** All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

**SECTION 3.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

**SECTION 4.** All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5.** This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on XXXXX-XXXXXX and adopted on XXXXX-XXXXXX.

---

Jennifer Ader, CMC, RMC  
Township Clerk