

**ORDINANCE 2014-1 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN,
AND STATE OF NEW JERSEY, AMENDING CHAPTER 220 OF THE CODE OF THE
TOWNSHIP OF BERLIN ENTITLED "NUISANCES"**

WHEREAS, Chapter 220 of the Code of the Township of Berlin, entitled "Nuisances," regulates, in pertinent part, certain acts of persons, and/or conditions created by acts of persons, which are deemed injurious to the health and welfare of the residents of the Township of Berlin ; and

WHEREAS, the Governing Body has determined it necessary for the health, safety and welfare of the residents of the Township of Berlin to revise Chapter 220 regarding proper maintenance and control of public utility wires;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and the Township Council of the Township of Berlin, as follows:

SECTION 1: Chapter 220, entitled "Nuisances," Section 1, entitled "Definitions; word usage," is hereby amended, revised and supplemented by adding the following new definition:

PUBLIC UTILITY WIRES

Wires used for transmission of telecommunications, such as, but not limited to, Verizon and Comcast for cable television, phone service or internet service, or any other overhead utility wires connected to utility poles.

SECTION 2: Chapter 220, entitled "Nuisances," Section 2, entitled "Nuisances enumerated," is hereby amended, revised and supplemented by adding a new subsection "G" as follows:

- G. Allowing overhead public utility wires to fall or hang loosely from utility poles, or to permit the wires to lie in public streets or sidewalks, or to wind and secure public utility wires to hang onto objects other than a utility pole.

SECTION 3: Except as set forth in Sections 1 and 2 above, the balance of Chapter 220 shall not be affected by this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Introduced: January 27, 2014

Adopted:

Notice is hereby given that the foregoing Ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Berlin, Camden County, New Jersey on January 27, 2014 and the same was ordered published pursuant to statute. Said ordinance will be further considered for final adoption at a meeting of the Mayor and Council of the Township of Berlin on February 10, 2014 at 5:00 p.m. at the Berlin Township Municipal Hall, 135 Route 73 South, West Berlin, NJ.

Catherine Underwood
Township Clerk