

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2026-11

ORDINANCE AMENDING CHAPTER 398: “STREETS AND SIDEWALKS” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO PROHIBIT OBSTRUCTIONS ON SIDEWALKS.

WHEREAS, the Borough of Bradley Beach (the “Borough”) is responsible for protecting the health, safety, and welfare of pedestrians using public sidewalks; and

WHEREAS, sidewalks must remain clear and unobstructed to allow the safe and continuous flow of pedestrian traffic, including children, seniors, and persons with disabilities; and

WHEREAS, the Americans with Disabilities Act and other accessibility standards require municipalities to ensure sidewalks provide an accessible and unobstructed path of travel; and

WHEREAS, the placement of equipment, materials, or other obstructions on sidewalks may create safety hazards, impede accessibility, and expose the Borough to liability; and

WHEREAS, the Mayor and Council desire to clarify maintenance responsibilities, prohibit sidewalk obstructions, and establish enforceable penalties for non-compliance; and

WHEREAS, these amendments are intended to promote pedestrian safety, accessibility, and uniform enforcement, while preserving the character and walkability of the Borough;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 398: “Streets and Sidewalks” of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 398: STREETS AND SIDEWALKS

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§ 398-39 Maintenance of Sidewalk Areas.

- A. Persons owning or occupying property shall keep and maintain the public or private sidewalk and grass planting strip in front of their property free of litter, debris, paper, and weeds. Owners and/or occupants of a property shall be required to remove any accumulated debris or weeds, sweep or hose down sidewalks, and mow the planting areas as required to maintain the sidewalk and planting area in a neat appearance. No person shall sweep or deposit into a gutter, road, right-of-way or other public place within the Borough, litter, debris, or grass clippings from a public or private sidewalk, grass area, driveway, or from a private lot adjacent thereto.

B. Sidewalks shall be maintained so as to permit the free and unobstructed flow of pedestrian traffic at all times. No equipment, furniture, merchandise, construction materials, landscaping materials, signage, personal property, snow, ice, or other obstructions of any kind shall be placed, stored, or permitted to remain upon any sidewalk or within any sidewalk area. All sidewalks shall be maintained in compliance with applicable accessibility requirements, including but not limited to the Americans with Disabilities Act so as to provide a continuous, unobstructed, and reasonably level pedestrian path of travel.

~~B.C.~~ Persons owning or occupying property in any of the business zones within the Borough shall also maintain the tree plots in front of their property, keeping them free of weeds and litter. Said persons shall also be responsible for keeping the pavers in front of their properties free of weeds and debris.

D. Any person who violates any provision of this section shall, upon conviction, be subject to the general penalties set forth in Chapter 1, Article II of the Code of the Borough of Bradley Beach. Each day that a violation exists shall constitute a separate and distinct offense. In addition to the imposition of penalties, the Borough may require the immediate removal of any obstruction and the restoration of the sidewalk area to a safe and compliant condition.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.

Erica Kostyz, RMC, CMR
Municipal Clerk

Alan Gubitosi
Mayor

Introduced: February 17, 2026

Date of Hearing and Adoption: March 3, 2026