



**Borough of Manville**  
**Ordinance No. 2021-1264**

**An Ordinance By The Borough Of Manville In The County Of Somerset, State Of New Jersey,  
Amending The Borough Land Use Code  
Regarding Traffic Visibility At Corner Lots And Driveways**

**Statement of Purpose**

**The Purpose of this Ordinance is to Amend the Height Requirement of Fencing, Structures, or  
Planting on Corner Borough Lots to Provide Safe Traffic Visibility**

WHEREAS, the Mayor and Council of the Borough of Manville (the "Borough") finds that it is in the best interest of the safety and welfare of residents of, and visitors to, the Borough to provide for traffic visibility across corner lots;

NOW THEREFORE, BE IT ORDAINED, by the Mayor & Council of the Borough of Manville in the County of Somerset, State of New Jersey, as follows:

**SECTION 1:** Chapter 31, Article 4, of the Borough Land Use Code is now amended at Section 31-409, at to read as follows:

**§31-409 TRAFFIC VISIBILITY AT CORNER LOTS AND DRIVEWAYS**

- (A)** On any corner lot no fence, structure, or planting over 30 inches in height shall be erected or maintained within 30 feet of the intersection of the road right-of-way lines so as to interfere with traffic visibility across the corner, and no wall or fence, and no hedge, tree, shrub, or other growth shall be maintained in such a way as to cause danger to traffic on a street by obscuring the view.
- (B)** No Fence, or any other type of material shall be shall be installed on front property within 10 feet of the property line, in Residential or Commercial zones; this is intended to ensure that there will be no obstructed vision of vehicles pulling out of driveways; provided that a fence may be permitted if the fence material is made in a way that will not obscure the view of oncoming vehicles (such as open chain link fence); the height of any such fence shall not exceed 42 inches in height.

**SECTION 2: Repealer:**

Repealer: Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed to the extent of such inconsistency.

**SECTION 3: Severability**

Severability: In the event that any provision of this ordinance, or the application thereof to any

person or circumstance is declared invalid by any Court of competent jurisdiction, or is found to be inconsistent with or precluded by any overriding State Statute or Regulation, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

**SECTION 4: Inconsistency with other Ordinances**

Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

**SECTION 5: Effective Date**

Effective Date: This ordinance shall take effect upon its passage and publication and filing with the Somerset County Planning Board as provided by law.

Borough of Manville,



Richard M. Onderko, Mayor

**ORDINANCE #2021-1264  
FIRST READING:  
ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Petrock	✓			
	✓	Lukac	✓			
		Maeder	✓			
✓		Magnani	✓			
		Szabo	✓			
		Zamorski				✓
		Onderko				

Attest:



Wendy Barras, Borough Clerk

Introduced this 12<sup>th</sup> day of July, 2021

**SECOND READING AND FINAL ADOPTION:  
ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Petrock	✓			
	✓	Lukac	✓			
		Maeder	✓			
		Magnani	✓			
✓		Szabo	✓			
		Zamorski	✓			
		Onderko				

Attest:



Wendy Barras, Borough Clerk

[ADOPTED] [DEFEATED] this 16<sup>th</sup> day of Aug. 2021