

#2019-04

ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN AND STATE OF NEW JERSEY REGULATING THE KEEPING AND REMOVAL OF BRUSH, HEDGES AND OTHER PLANT LIFE WITHIN THE BOROUGH, TO BE ENTITLED “BRUSH, GRASS AND WEEDS”

WHEREAS, the Borough of Audubon Park (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the Governing Body has deemed it necessary and in the best interest of the public health, safety and general welfare of the residents to update the rules and regulations pertaining to the removal of brush, weeds, dead and dying trees, stumps roots, obnoxious growths, filth, garage, trash and debris within the Borough limits; and

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 Borough by law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Audubon Park, County of Camden, and State of New Jersey, as follows:

SECTION 1: Ordinance #2019-04, entitled “Brush, Grass and Weeds” is hereby established to read as follows:

BRUSH, GRASS AND WEEDS

1.1 Notice to remove.

Whenever it shall appear necessary and expedient for the preservation of the public health, safety, general welfare or to eliminate a fire hazard, to remove from lands lying within the limits of the Borough of Audubon Park brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, the Borough shall cause notice thereof to be given to the owner of such lands, and said owner shall, within 10 days after notice thereof, remove the same.

1.2 Failure to comply; removal by Borough.

In case the owner of any such lands shall refuse or neglect to remove the said brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris within 10 days after notice thereof, it shall be the duty of the Borough Clerk to remove the same or cause the same to be removed.

1.3 Costs a lien.

The cost of such removal shall be certified by said Borough Clerk to the Audubon Park Borough Council, who shall examine the cost as shown thereon and, if found to be correct, shall cause said cost to be charged against said lands; and the amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

1.4 Violations and penalties.

Any person, persons or corporation who shall refuse or neglect to comply with the provisions of this chapter shall, upon conviction thereof, be subject to a fine not exceeding \$1,000 for each offense or violation, at the discretion of the Judge before whom any such person, persons or corporation may be tried, and in default of the payment of such fine, be imprisoned in the county jail for a term not exceeding 90 days, at the discretion of said Judge.

SECTION 2: Except as set forth in Section 1 above, the balance of the Borough’s ordinances shall not be affected by this Ordinance.

SECTION 3: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4: 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 5: This Ordinance shall take effect upon passage and publication according to law.

Attest:

BOROUGH OF AUDUBON PARK

Introduced: February 4, 2019

Adopted: March 4, 2019

LAWRENCE E. PENNOCK, MAYOR

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on March ____, 2019.

DAWN M. PENNOCK, MUNICIPAL CLERK

