

ORDINANCE NO. 2013-8

**TOWNSHIP OF EASTAMPTON
BURLINGTON COUNTY**

**ORDINANCE AMENDING CHAPTER 167 OF THE TOWNSHIP CODE ENTITLED
“BRUSH, GRASS, WEEDS AND TRASH”**

WHEREAS, the Township Council of Eastampton Township (the “Township”) recognizes that some property maintenance violations, such as overgrown grass, weeds, brush, and other debris, impact other residents’ enjoyment of their property and also have a negative effect of property values; and

WHEREAS, the Township Council has determined to amend the existing procedure to address certain property maintenance violations, including overgrown grass, weeds and brush, to permit the Township to address chronic violators in a more efficient and effective manner.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Eastampton and County of Burlington as follows:

SECTION 1: Chapter 167 of the Township Code, entitled “Brush, Grass, Weeds and Trash” shall be amended in its entirety and shall now read as follows:

Brush, Grass, and Weeds

§167-1 Removal of brush, weeds, and debris required.

A) Whenever it shall be necessary and expedient for the preservation of the public health, safety or general welfare, the owner or tenant of lands lying within the Township of Eastampton shall be required, within 10 days after written notice, to remove from such lands overgrown grass, brush, weeds, dead and dying trees, stumps, roots, other obnoxious growths, filth, garbage, trash and debris.

B) Overgrown grass, as defined throughout this chapter, shall exist when more than 10% of the grass or weeds growing on a property shall exceed six (6) inches in height.

C) In addition to any officials designated by the Township with power to enforce provisions of the Township Code, the Director of the Township’s Public Works Department shall also have the ability to enforce the provisions of this section of the Code.

§167-2 Notice.

The notice required in §167-1 hereof shall be addressed to the owner or tenant of such lands, and shall include the address and/or the block and lot number(s) of such lands and shall advise the owner or tenant of such lands that if he fails to comply within the time required he shall be subject to a penalty, and further that, upon his failure to comply, the removal will be

accomplished by the Township, and the cost thereof shall be assessed against such land and collected in the same manner as taxes. If the person or corporation to whom such notice is addressed cannot be served with such a notice within the Township, such notice may be served by registered or certified mail addressed to the last known address of such person or corporation.

§167-3 Failure to comply; costs as a lien.

A) If any owner or tenant of lands lying within the Township shall, within 10 days after service of such notice, fail or neglect to remove any of the growths or materials described in §167-1, in accordance with said notice, said removal may be accomplished by the Township in accordance with the International Property Maintenance Code, and the Township Manager shall certify the cost thereof to the Township Council, who shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against such lands. 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.

B) If the Township is required to perform removal and/or maintenance as described in §167-3(A) above, the Township shall forward notice to the owner or tenant of the subject property explaining that the owner or tenant of the subject property must submit proof to the Township within 10 days after service of such notice that the owner or tenant has arranged for ongoing maintenance of the property to remain in compliance with §167-1 above. Should the owner or tenant of the subject property fail to submit such proof, the Township shall have the ability to arrange for ongoing maintenance of the subject property, either through the use of Township employees or a contractor hired by the Township. This ongoing maintenance of the subject property shall continue until the Township receives proof that the owner or tenant of the subject property has arranged for the ongoing maintenance of the property. Any amount so charged for ongoing maintenance 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.

C) Any owner or tenant who is served with a notice of violation of the terms of §167-1 is entitled to all of the due process requirements as contained in §1-6 of this Code.

§167-4 Higher standard to prevail.

In any case where the provisions of this section impose a higher or stricter standard than set forth elsewhere in this chapter, in the International Property Maintenance Code as adopted by the Township, or in any other ordinance or regulation of the Township or under the laws or regulations of the State of New Jersey or any of its agencies, then the standards as set forth herein shall prevail, but if the provisions of this section impose a lower or lesser standard than any other regulation in this chapter, in the International Property Maintenance Code as adopted by the Township, or in any other ordinance of the Township or of the laws and regulations of the

State of New Jersey or any of its agencies, then the higher standard contained in any such other ordinance, regulation or law shall prevail.

§167-5 Violations and penalties.

In addition to any remedies listed above, any person violating any provision of this section shall, upon conviction, be punishable as provided in Chapter 1 of this Code.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

SECTION 3. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Eastampton declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 4. Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

ATTEST:

Kim-Marie White
Kim-Marie White
Municipal Clerk

Rovenna D. Overton
Rovenna D. Overton
Mayor

Adopted: June 10, 2013