ORDINANCE 2016-14

AN ORDINANCE IMPOSING OWNER RESPONSIBILITY FOR CLEANUP AND REMOVAL OF GARBAGE, BRUSH, WEEDS, DEAD AND DYING TREES

Statement of Purpose

The intent of this Ordinance is to mandate an owner’s responsibility for the cleanup of property including the removal of dead and dying trees and to impose a lien on that owner’s property if the required cleanup is not undertaken requiring the work to either be done by Borough employees or outside contractors.

BE IT ORDAINED by the Mayor and Council of the Borough of Dunellen, in the County of Middlesex and the State of New Jersey, as follows:

Section I: Owner Responsibility

The owner of any lands within the Borough shall, upon receiving notice from the Borough Code Enforcement Officer, cause all overgrown grass and shrubbery to be cut, brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris, where the same impede the health, safety, or welfare of the public, be removed from said lands within ten (10) days after service of the notice to remove same as provided herein.

Section II: Work Done by Borough -- Charged to the Property

A. In case the owner shall not, within ten (10) days of the date of this service of such notice, mowed overgrown grass, trimmed shrubbery, removed from such lands all brush, weeds, dead and dying trees, roots, obnoxious growth, filth, garbage, trash and debris as mentioned in said notice, the Supervisor of the Department of Public Works may cause or arrange for the required work to be done; however, he is not bound to do so. If the Supervisor has cause or arranges for such work to be done, it shall be performed at a cost to the owner of such lands.

B. In case the work is done by the Borough or at the Borough’s expense by an outside contractor, the cost of same shall be paid out of monies appropriated in the annual tax levy for the repair and maintenance of streets and roads in the same manner as other work done by the Department of Public Works. The cost of such work when completed shall be certified to the governing body by the Supervisor of the Department of Public Works and the governing body shall examine the certificate and if found correct shall cause the cost as shown thereon 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 part of the tax next to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and by the same manner as taxes.
Section III: Effective Date

This ordinance shall take effect following final passage and publication in accordance with law.

Section IV: Repealer

All ordinances or parts of Ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.