

ORDINANCE 2024-

**AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 1 OF THE GENERAL CODE
OF THE TOWN OF HACKETTSTOWN WITH RESPECT TO THE TIME PERIOD
WITHIN WHICH A DULY NOTICED INDIVIDUAL MUST CUT GRASS IN EXCESS
OF EIGHT (8) INCHES**

WHEREAS, the Town of Hackettstown finds it necessary for the preservation of the public health, safety and welfare, to require any duly noticed owner, tenant, occupant, managing agent, executor, administrator, or other similar person to remove or destroy brush, weeds (including ragweed), dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris, or to cut grass that is over eight (8") inches in height; and

WHEREAS, Chapter 11, Article 1 of the General Code of the Town of Hackettstown currently requires abatement of the aforementioned conditions to be completed within ten (10) days after receipt of notice; and

WHEREAS, as it pertains to grass cutting, compliance is less onerous and requires a more expeditious abatement period; and

WHEREAS, the Mayor and Common Council have determined that in order to most expeditiously address compliance, an amendment to Chapter 11, Article 1 of the General Code of the Town of Hackettstown is in the best interest of the residents of the Town of Hackettstown.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Hackettstown that Chapter 11, Article 1 of the General Code of the Town of Hackettstown is hereby deleted in its entirety and replaced with the following:

11-1. Removal of Debris, Plant Growth, Etc., Required.

Whenever it shall be deemed necessary for the preservation of the public health, safety and welfare, or to eliminate fire hazard, the Director of the Department of Public Works or a designee of the Director shall require any owner, tenant, occupant, managing agent, executor, administrator, or other similar person to remove or destroy brush, weeds (including ragweed), dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris within ten (10) days after receipt of notice to remove or destroy the same. The Director of the Department of Public Works or a designee of the Director shall also have the authority to require any owner, tenant, occupant, managing agent, executor, administrator, or other similar person to cut grass that is over eight (8") inches in height, within five (5) days after receipt of notice.

11-2. Notice.

The Director or his designee shall serve written notice upon any such person described in Section 11-1, describing the condition of the premises and demanding that the condition be abated within the applicable ten (10) or five (5) days of receipt of such notice. Notice shall be made by personal service, or by certified mail, return receipt required. In the event that personal service

cannot be effected because the owner or agent is not a resident of the Town, or in the event that service by certified mail is unaccepted, then notice by regular mail shall be sent, and the Director aforementioned or his designee shall post said notice in a conspicuous place on the premises. Where grass has exceeded eight (8") inches in height, the Director aforementioned or his designee shall mail the notice both by certified mail, return receipt required, and by regular mail, and shall also post said notice in a conspicuous place on the premises.

11-3. Failure to Remove or Destroy after Notice.

When the owner, tenant or other such person set forth in Section 11-1 shall refuse or neglect to remove or destroy any such brush, weeds, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash or debris, or to cut grass, within the applicable ten (10) or five (5) days after receipt of notice, he shall, upon conviction, be subject to a fine not exceeding Five Hundred (\$500.00) Dollars. The imposition and collection of a fine shall not bar the right of the Town to collect the cost of removal in the manner provided herein, or by summary action in a court of law.

11-4. Removal by Department of Public Works.

Where the owner, tenant or other person set forth in Section 11-1 above shall have refused and neglected to remove or destroy any such brush, weeds, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash or debris, or to cut grass, within the applicable ten (10) or five (5) days after receipt of notice to remove or destroy same, or upon the expiration of a posting of notice as provided in Section 11-2 above, the Director aforementioned or his designee shall cause same to be removed or destroyed at the expense of the owner, tenant, occupant, managing agent, executor, administrator or other similar person, as the case may be.

11-5. Cost of Removal or Destruction by Department of Public Works.

In all cases where brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash or debris are destroyed or removed, or grass is cut, from any lands under this Ordinance by or under the direction of the Director aforementioned or his designee, the same shall certify the cost thereof, including an assessment of an administrative fee for \$100.00, to the Town Council, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said lands; the amount so charged shall forthwith become a lien upon said lands and shall be added to and become a part of the taxes next to be assessed and levied upon such lands, 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with law.

ORDINANCE 2024-20

Notice is hereby given that the aforesaid ordinance was introduced at a regular meeting of the Common Council of the Town of Hackettstown, New Jersey, held on September 12, 2024, and that a regular meeting of the same to be held on October 10, 2024 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey, at the hour 7:00 o'clock in the evening, the said Common Council will conduct a public hearing and will consider the final passage of said ordinance.

P.J. Reilly
Town Clerk/Administrator