

ORDINANCE #18-24
BOROUGH OF SAYREVILLE
COUNTY OF MIDDLESEX
AN ORDINANCE REGULATING REMOVAL
OF GRASS, WEEDS, BRUSH AND OTHER DEBRIS IN
THE BOROUGH OF SAYREVILLE, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY

WHEREAS, the Board of Health of the Borough of Sayreville (“Borough”) has recommended the Borough Council regulate the removal of grass, weeds, brush and other debris within the Borough; and

WHEREAS, the Borough desires to set forth an ordinance that regulates the removal of grass, weeds, brush and other debris to preserve public health, safety and general welfare of the citizens of the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sayreville in the County of Middlesex, State of New Jersey, as follows:

SECTION 1. Duties of Owners and Tenants. It shall be the duty of any owner or tenant or person in possession of any lands in the Borough:

- A. To keep such lands free of brush, weeds, dead and dying trees, stumps, roots, noxious growths, filth, garbage, trash, and debris, where the same are inimical to the preservation of public health, safety or general welfare of the Borough.
- B. Where the lands abut or border upon any public street in the Borough, to remove all grass, weeds, brush and other debris from that part of the street bordering on their respective lands.

SECTION 2. Notice to Remove. The Construction Official and the Health Official, or their agents, are empowered to notify the owner, tenant or person in possession of any lands within the Borough to remove any and all of the items enumerated in this Ordinance. Notice shall be given to the owner, tenant or person in possession of such land by certified mail, return receipt requested, at such person’s last known address. A minimum of five (5) days shall be given for abatement of violations.

SECTION 3. Removal by Borough. In the event the owner, tenant or person in possession of the lands in question shall refuse or neglect to abate or remedy any condition which is in violation of this Ordinance within ten (10) days after receipt of notice, the Construction Official or Health Officer, or their agents, shall cause the same to be abated and remedied and certify the cost thereof to the Borough Council, who shall examine the certificate and, if found correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, which shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for a violation of this Ordinance.

SECTION 4. PENALTY

SECTION 4-1. Maximum Penalty. For violation of any provision of this Ordinance, or any other ordinance of the Board of Health where no specific penalty is provided regarding the section violated, the maximum penalty, upon conviction, shall not exceed five hundred dollars (\$500.00).

SECTION 4-2. Separate Violations. Except as otherwise provided, each and every day in which a violation of any provision of this Ordinance shall constitute a separate violation.

SECTION 4-3. Application. The maximum penalty stated in this Ordinance is not intended to state the appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty, may be appropriate for a particular case or violation.

SECTION 5. Conflicts. All Ordinances of the Board of Health or the Borough of Sayreville or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being legislative intent that all Ordinances or parts of Ordinances now existing or in effect, unless the same be in conflict or inconsistent with any provisions of this Ordinance, shall remain in effect.

SECTION 6. Severability. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, or phrase thereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sub-sections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. Effective Date. This Ordinance shall take effect upon passage and publication as provided by law.

INTRODUCED/APPROVED ON FIRST READING

DATED: April 8, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Public Works Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: April 29, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Public Works Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney