

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE #2008-11

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 26, "BRUSH, GRASS AND WEEDS" OF THE REVISED GENERAL ORDINANCES

BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey, as follows:

SECTION 1. Chapter 62, "Brush, Grass and Weeds", of the aforesaid Revised General Ordinances is hereby supplemented and amended to read as follows:

§ 26-1. Plant height limitations near roadways; garbage, trash and debris.

It shall be the duty of the owner, tenant or person in possession of any lands in the Township:

- A. To keep all brush, hedges or other plant life growing within 10 feet of any roadway and within 25 feet of the intersection of two roadways cut to a height of not more than three feet where it shall be necessary and expedient for the preservation of public safety.
- B. To keep the lands free of brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, where the same are inimical to the preservation of public health, safety or general welfare of the Township, or which may constitute a fire hazard.

§ 26-2. Notice to remove prohibited conditions.

- A. ***Upon receipt of a complaint of a resident, officer or employee of the Township relative to a violation of this chapter, or upon his own motion, the Zoning Officer shall investigate said complaint.***
- B. If the reported conditions are found to exist, the ***Zoning Officer shall*** notify the owner, tenant or person in possession of the lands complained of, in writing, either personally or by registered mail, to remove such brush, weeds, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash or other debris within 10 days after receipt of the notice.
- C. The Zoning Officer shall reinspect the lands in question after the ten-day period expires and, ***if necessary, cause the person noticed to appear in a court of competent jurisdiction.***

§ 26-3. Removal by Township; costs to become lien.

- A. If the owner, tenant or person in possession of the lands in question fails to abate the condition complained of, ***the Zoning Officer shall notify the Township Committee in writing. The Township Committee shall cause the condition complained of to be abated and the cost of abatement to be charged against the lands.***

- B. The amount so charged shall become a lien upon the lands and shall be added to and become a part of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes, and shall be collected and enforced by the same officer and in the same manner as taxes.
- C. Costs shall be in addition to any penalties imposed for any violation of this chapter.

SECTION 2. All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

ATTEST:

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
STATE OF NEW JERSEY**

Vita Thompson, Clerk

By: _____
Gail Phoebus, Mayor

INTRODUCED: June 09, 2008
ADOPTED: June 23, 2008
CERTIFIED: June 24, 2008

EFFECTIVE DATE: June 27, 2008

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SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on June 09, 2008. A public hearing regarding same will be held at a meeting scheduled for June 23, 2008 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Vita Thompson, R.M.C.
Municipal Clerk

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NOTICE OF FINAL ADOPTION

NOTICE is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 09th day of June 2008. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 23rd day of June 2008, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.
Municipal Clerk