

ORDINANCE 2018 - 20

ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 36 OF THE TOWNSHIP CODE ENTITLED, "BRUSH, WEEDS, OBNOXIOUS GROWTH"

NOW, THEREFORE, BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Committee believes that it is necessary and appropriate to amend Chapter 36 of the Township Code in order to address issues throughout the Township involving property maintenance.

SECTION 2. Section 36-4, "Failure to comply" is hereby amended and supplemented to include the following:

36-4. Failure to comply.

A. In the event that the landowner shall fail to remedy the violation and remove the matter described in this chapter after the determination and notice of such by township officials, the matter shall be caused to be removed by the Township of Barnegat.

C. If the Township removes the matter from the land in violation, costs for the removal shall be determined by the Administrator and shall include, but not be limited to labor, equipment charges, fuel, or depreciation. If the cost of removal is by outside contractor, the cost of the contract plus administrative fee shall be assessed.

All structures and land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety. **[Amended 7-5-16 by Ord. No. 2016-17]**

(1) Charges to be incurred to property owner: **[Added 11-19-01 by Ord. No. 2001-38; 9-18-12 by Ord. No. 2012-20]**

Foreman	\$ 60.00 per hour
Laborer/driver	\$ 40.00 per hour
Push lawn mower	\$ 15.00 per hour
Riding lawn mower	\$ 40.00 per hour
Weed Wacker	\$ 15.00 per hour
Trailer	\$ 15.00 per hour
Pick up truck	\$ 30.00 per hour
Chain saw	\$ 15.00 per hour
Blower	\$ 15.00 per hour
Administrative Fee	\$ 250.00
Lawn grass/weed cutting 1 st offense	\$ 200.00

Lawn grass/weed cutting 2nd offense \$300.00
Lawn grass/weed cutting 3rd offense \$500.00

(2) Rates defined in this chapter may be amended by Resolution of the Governing Body as deemed necessary.

D. Notice shall be made by personal service on the landowner or by certified mail to the last known address of the landowner.

SECTION 3. The Township Committee authorizes the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

SECTION 4. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 5. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **June 12, 2018 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **July 3, 2018, at 10:00 a.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

Michele Rivers, RMC
Township Clerk

CERTIFICATION

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I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance was finally adopted after Public Hearing at a regular meeting held on the 3rd day of July, 2018, in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ.

Michele Rivers, RMC
Township Clerk