

**BOROUGH OF OLD TAPPAN
ORDINANCE NO. 1063-13**

**AN ORDINANCE TO AMEND AND SUPPLEMENT
ARTICLE I, CHAPTER 97 ENTITLED “BRUSH, GRASS & WEEDS”
OF THE CODE OF THE
OF THE BOROUGH OF OLD TAPPAN**

WHEREAS, the Mayor and Council of the Borough of Old Tappan are desirous of amending certain provisions of Chapter 97, “Brush, Grass & Weeds”:

NOW THEREFORE, BE IT ORDAINED by the governing body of the Borough of Old Tappan that it does hereby delete Chapter 97, entitled “Brush, Grass & Weeds” in its entirety and replace it with the following:

Section 1.

SS. 97-1. It shall be the duty of the owner, tenant or person in possession of any lands in the borough to maintain their property so as not to create a nuisance to the neighboring properties and to keep the lands free of brush, weeds, dead and dying trees, stumps, roots, noxious growth, filth, garbage, trash and debris, where the same are inimical to the preservation of public health, safety or general welfare of the borough, or which may constitute a fire hazard. Lawns shall be maintained so as no grass or weeds shall exceed eight inches in height.

§ 97-2 Complaint; notice to remove offensive condition; reinspection.

After an investigation of any complaint of a resident, officer or employee of the borough relative to a violation of this chapter, or upon his own motion, the Code Official shall make a written notice of the conditions complained of to the property owner. If the reported conditions are found to exist, the Code Official or designee will 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. The Code Official shall reinspect the lands in question after the ten-day period expires and if the conditions still exist the Code Official will issue a summons and report in writing to the Borough Council at its next regular meeting whether the condition complained of has been abated or remedied.

§ 97-3 Removal by borough; costs to become lien.

If the owner, tenant or person in possession of the lands in question fails to abate the condition complained of within 10 days after receipt of notice, the Building Inspector shall cause the condition complained of to be abated and shall certify the cost to the Borough Council, who shall examine the certificate and if it is correct cause the cost as shown thereon to be charged against the lands. 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. Costs shall be in addition to any penalties imposed for any violation of this chapter.

Section 2. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Old Tappan declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 3. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.