

Ordinance

No. 4-2020

ORDINANCE AMENDING CHAPTER 258, PROPERTY MAINTENANCE IN THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY

BE IT ORDAINED, by the Mayor and Council of the Borough of Westville, County of Gloucester and State of New Jersey that the governing body does hereby amend Chapter 258, Property Maintenance, Article I, Removal of Weeds and Debris; in the Code of the Borough of Westville to read as follows:

Section 1. Chapter 258 is hereby amended by amending Section 4 through 7 to be read as follows:

258-4 Removal of Borough; liens.

In the event that the owner, tenant or occupant fails to remove or destroy the items set forth within 5 days of notice from the Superintendent of Public Works and/or designated Borough inspection representative of the Borough of Westville, then and in that event the Borough of Westville shall destroy or remove from the lands in question the brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris by or under the direction of the Superintendent of Public Works and/or designated Borough inspection representative of the Borough of Westville, and the Superintendent of Public Works and/or designated Borough inspection representative shall certify the cost thereof to the governing body of the Borough of Westville, who shall examine the certificate, and, if it is found to be correct, the governing body shall cause the cost as shown thereon to be charged against the lands in question; the amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same 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.

258-5 Information to be Contained in Notice

The notice required shall contain a description of the property affected sufficiently definite in terms to identify the same, as well as a description of the manner in which such removal or destruction is to be carried out, and said notice shall further contain a statement that, unless such removal or destruction is completed within 5 days after service of such notice, the Borough of Westville will proceed with such removal or destruction or cause the same to be proceeded with pursuant to N.J.S.A. 40:48-2.14, or any amendments thereto, and will charge the costs and expenses thereof against said property.

258-6 Service of notice upon owner, tenant or occupant.

Such notice may be served upon the owner(s), tenant(s) or occupant(s) resident in the Borough of Westville, in person or by leaving the same at their usual place of residence with a member of their family above the age of 14 years. In case any such owner shall not reside in the Borough of Westville, or in the case any such tenant shall not reside in

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the Borough of Westville, notice may be served upon him or her personally or mailed to the last known post office address, or it may be served upon the occupant of the property or upon the agent of the owner or tenant in charge thereof. In case the owner or tenant of such property is unknown or service cannot for any reason be made as above directed, notice thereof shall be posted in a conspicuous place on the property affected and shall be published at least once, not less than 5 days before the proposed removal or destruction, in a newspaper circulating within the Borough of Westville. There may be inserted in said advertisement notice to the owner or owners of several different parcels of land. Notice to infant owners or tenants or owner or owners or tenants of unsound mind shall be served upon their guardians. Where lands are held in trust, service shall be made upon the trustee. Where lands are held by two or more joint tenants, tenants in common or tenants by the entirety, service upon one of such owners or tenants shall be sufficient and shall be deemed and taken as notice to all.

Section 2. Repealer

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon formal approval by the Borough of Westville Borough Council and publication as required by law.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon passage and publication according to law.

Introduced: February 3, 2020

Adopted: March 2, 2020

BOROUGH OF WESTVILLE

**Russell W. Welsh, Jr.
MAYOR**

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**