

**TOWNSHIP OF JEFFERSON
COUNTY OF MORRIS, NEW JERSEY**

ORDINANCE #16-16

**“ORDINANCE AMENDING CHAPTER 367 OF THE JEFFERSON TOWNSHIP MUNICIPAL CODE
ENTITLED ‘PROPERTY MAINTENANCE’”**

BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 367 of the Jefferson Township Municipal Code, entitled “Property Maintenance” is hereby amended as follows:

SECTION I

Section 367.2, Sub-section 302.4 “Weeds” of the International Property Maintenance Code shall be amended to read as follows:

“All premises and exterior property shall be maintained free from weeds or plant growth in excess of fourteen (14) inches in height above ground level. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property”.

Section 367.2, Sub-section 302.11 “Structures and Trees Within the Public Right-of-Way” shall be amended to read as follows:

“Any structure or tree existing in the public right-of-way fronting any private property, which shall include, but not be limited to, trees, landscaping materials, walls and sports equipment, shall be maintained by the owner of the property fronting on that portion of the public right-of-way. The property owner, at the owner’s sole cost and expense, shall remove any such structures or materials, if deemed a hazard by the Township Department of Public Works or the Township Police Department. Any trees or landscaping material within the public right-of-way, which shall be deemed to be hazardous by the Department of Public Works or the Township Forester, whether the entire tree shall be deemed hazardous or just overhanging limbs or any portion of trees, shall be removed at the direction of the Department of Public Works or the Township Forester by the owner of the property adjacent to the public right-of-way on which the object or objects are located. Said removal, trimming or other work on the material side shall be at the sole cost of the owner of the property and the owner shall remain liable for any risk posed by said structures”.

SECTION II

All the rest of the provisions of Chapter 367 shall remain in full force and effect.

SECTION III

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

SECTION IV

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION V

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

COUNCIL OF THE TOWNSHIP OF JEFFERSON

MICHELE REILLY
Township Clerk

MICHAEL J. SANCHELLI
Council President

INTRODUCED: December 7, 2016
ADOPTED:

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

CERTIFICATION

I, MICHELE REILLY, Clerk of the Township of Jefferson, do hereby certify that the foregoing **Ordinance #16-16** was duly adopted by the Township of Jefferson Council on the 21st day of December, 2016.

MICHELE REILLY, RMC
TOWNSHIP CLERK