

## Chapter 27 GRASS AND BRUSH REMOVAL

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wenonah 1-16-1917. Amended 11-14-1924; 11-14-1994 by Ord. No. 94-9; amended in its entirety 3-23-2005 by Ord. No. 0-06-05; amended in its entirety 7-28-05 by Ord. No. 0-05-12. Subsequent amendments noted where applicable.]

Be it ordained by the Mayor and Borough Council of the Borough of Wenonah, in the County of Gloucester and State of New Jersey as follows:

### ARTICLE I General Provisions

#### § 27-1. Accumulation of vegetation prohibited.

It shall be unlawful for the owner or occupants of any lot or tract of land, including any property upon which any home or other building is constructed, situate within the Borough of Wenonah to allow or permit grass, brush, weeds, vegetation or underbrush to grow or accumulate to a height of eight (8) inches or higher thereon, or leaves or other combustible material to accumulate thereon in such manner as to constitute a menace by fire to property within the Borough, be dangerous to the public health, or which may constitute a nuisance or impediment to the general public. It shall also be unlawful for the owner or occupant to allow or permit any grass, brush, weeds, vegetation, trees or underbrush to grow, accumulate or encroach upon any public sidewalk, curb, street or adjoining property.

#### § 27-2. Timely notice to destroy accumulations.

Every owner or occupant of any lot or tract of land, including any property upon which any home or other building is constructed, shall cut, mow, and/or remove such grass, brush, weeds, vegetation, underbrush, leaves or other combustible material as shall be growing or shall have accumulated thereon within five (5) days after written notice from the Borough Clerk or the Borough Clerk's designated Borough employee, served upon the owner or occupant; which service may be in person or by registered mail at their last known post office address or addresses.

#### § 27-3. Failure to comply; Borough prerogative; collection by lien.

Should the owner or occupants of any lot or tract of land, including any property upon which any home or other building is constructed, situate within the Borough of Wenonah fail, neglect or refuse to cut, mow, and/or remove any such grass, brush, weeds, vegetation, underbrush, leaves or other combustible material within five (5) days after written notice as herein

provided, it shall be the duty of the Public Buildings & Grounds Committee under the direction of the Borough Council to cause the same to be done, and the expense thereof shall be charged to the owner or owners of the said lot or tract of land, the costs of same shall be certified to Council, including any property upon which any home or other building is constructed, and a lien to cover all costs of such destruction and removal shall be filed against said lot or tract of land, in the manner prescribed by law, and form a part of the taxes next to be assessed and levied upon such land and shall bear interest at the same rate as all other taxes.

## ARTICLE II Yard Waste Collection Program

### § 27-4. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**CONTAINERIZED** — The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

**PERSON** — Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**STREET** — Any street, avenue, boulevard, road, parkway, viaduct drive, or other way, which is an existing State, County, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**YARD WASTE** — Leaves and grass clippings.

### § 27-5. Yard waste collection.

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than ten (10) feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this section. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section.

### § 27-6. Enforcement.

The provisions of this ordinance shall be enforced by the Borough of Wenonah Police Department; the Public Works Supervisor; or any official or person authorized by Borough Council.

### § 27-7. Violations and penalties.

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine in an amount not less than \$25. nor more than \$75.; upon a second violation, a fine in an amount not less than \$75. nor more than \$150.; and upon a third or subsequent violation, a fine in an amount not less than \$150. nor more than \$300.; and/or a period of community service not to exceed ten (10) days. Whenever such person shall have been officially notified or by service of a summons in a prosecution, or in any other official manner, that said person is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty.

### § 27-8. Severability.

Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**§ 27-9. Repealer.**

All prior ordinances or parts of ordinances inconsistent with this ordinance be and the same are hereby repealed to the extent of such inconsistencies.

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