

## BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION

NOTICE is hereby given that **Ordinance 19-2024** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE AMENDING CHAPTER 274 OF THE BOROUGH CODE ENTILED “SNOW, ICE, GRASS AND WEED REMOVAL” TO MODERNIZE THE CODE TO PROVIDE THE CODE ENFORCEMENT OFFICER WITH AUTHORITY TO REMOVE IMPEDIMENTS FROM PUBLIC PROPERTY ABUTTING PRIVATE PROPERTY AND TO INCREASE THE PENALTY PROVISION”** was passed after a public hearing at the regular meeting of **October 22, 2024** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

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### BOROUGH OF EATONTOWN

### COUNTY OF MONMOUTH, STATE OF NEW JERSEY

### ORDINANCE NO. 19-2024

### ORDINANCE AMENDING CHAPTER 274 OF THE BOROUGH CODE ENTILED “SNOW, ICE, GRASS AND WEED REMOVAL” TO MODERNIZE THE CODE TO PROVIDE THE CODE ENFORCEMENT OFFICER WITH AUTHORITY TO REMOVE IMPEDIMENTS FROM PUBLIC PROPERTY ABUTTING PRIVATE PROPERTY AND TO INCREASE THE PENALTY PROVISION

**WHEREAS**, the Director of Land Use recommends amending Chapter 274 of the Borough Code entitled “Snow, Ice, Grass and Weed Removal”, Section 274-3 Violations and Penalties and Section 274-4 “Cost of Removal by Borough to Be a Lien” to provide the Code Enforcement Officer in coordination with the Director of the Department of Public Works the authority to cause the removal of snow, ice grass, weeds, or other impediments form the sidewalks, gutters or portions of the streets or highways abutting private properties; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to modernize the Borough Code and to implement the recommendations of the Director of Land Use to protect the Borough’s residents.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 274 of the Borough Code entitled “Snow, Ice, Grass and Weed Removal”, Sections 274-3 “Violations and Penalties” and 274-4 “Cost of Removal by Borough to Be a Lien” as follows:

[additions are underlined, and deletions are noted as strike-out]

#### § 274-3 Violations and Penalties.

Any person violating any of the provisions of this chapter shall, upon conviction thereof, forfeit or pay a fine of not more than \$25 \$200 or be imprisoned in the county jail for not more than 10 days. The officer before whom any such person may be brought may impose such fine or imprisonment as he may see fit, not exceeding the maximum herein.

#### §274-4 Cost of Removal by Borough to Be a Lien

Upon the failure of any owner, owners, tenant or tenants to remove the snow and ice, grass, weeds and impediments within the time provided, the Chairman of the Street Committee Code Enforcement Officer in coordination with the Director of Department of Public Works is hereby authorized to cause the removal of such snow, ice, grass, weeds or other impediments from the sidewalks, gutters or portion of the streets or highways abutting on such lands above provided and certify the cost to the Mayor and Council of the Borough of Eatontown, and after the same shall have been examined by the Mayor and Council of the Borough of Eatontown, and if the same shall be found to be correct, such cost shall be charged against the real estate so abutting upon such highway, sidewalk or gutter and the amount so

charged shall become a lien and tax to be levied and assessed thereon and collected with interest by the same officers and in the same manner as other taxes.

**IT IS FURTHER ORDAINED**, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**IT IS FURTHER ORDAINED** that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication in accordance with applicable law.