Ordinance 2013-15

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 8.04 OF THE CODIFIED ORDINANCES TO INCLUDE A NEW PROVISION WITH RESPECT TO "INVASIVE PLANTS"

BE IT ORDAINED by the Township Committee of the Township of Ocean, County of Ocean, and State of New Jersey that Chapter 8.04 of the Codified Ordinances of the Township of Ocean shall be amended, to include therein a new provision to be designated as Chapter 8.04.040, entitled "Invasive Plants," which shall read as follows:

§8.04.041 PURPOSE.

The purpose of this subsection is to protect and promote the public health through the control of the growth of invasive plant species.

§8.04.042 DEFINITIONS.

As used in this subsection, the following terms shall have the meanings indicated:

INVASIVE PLANTS
All native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious. These plants may damage trees, vegetation, or structures. Examples include, but are not limited to, bamboo (spreading or running type), ragweed, multiflora rose, kudzu-vine and poison ivy or oak.

§8.04.043 CONTROL OF GROWTH.

All persons must control the growth of invasive plants. Failure to control the spread of such vegetation beyond the boundaries of a resident's property is a violation of this chapter.

§8.04.044 INSPECTIONS.

All places and premises in the Township of Ocean shall be subject to inspection by the enforcing officer. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Township of Ocean. An inspection shall be made if that official has reason to believe that any section of this chapter is being violated. The enforcing officer shall be the Code Enforcement or such other person as may be designated by the Township Committee.

§8.04.045 REMOVAL OR ABATEMENT.

A. Whenever an invasive plant, as defined by this chapter, is found on any plot of land, lot or any other premises or place, a violation notice shall be given to the owner, in writing to remove or abate the violation within such time as shall be specified in such notice. If the property owner fails to abate the violation, a municipal summons/complaint may be issued charging the owner with violating the provisions of this chapter.
B. The cost of abatement shall be borne by the property owner.
C. If the owner fails to comply with such notice within the time specified therein, the enforcing official may, in addition to issuing a summons/complaint as set forth above, remove or otherwise control the invasive plan species and the Township may thereafter recover the cost of such removal from the property owner and place a lien on the property to recover the cost of invasive plant removal pursuant to 8.04.030.

§8.04.046 VIOLATIONS AND PENALTIES.

Any person, partnership, limited-liability company, corporation or other entity who shall violate any provision of this chapter shall, upon conviction thereof, be subject to a minimum fine of not less than $100.00 and not more than $1,500.00.

If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

This Ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Ocean, County of Ocean, State of New Jersey on **May 9, 2013 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Ocean Township Municipal Building located at Railroad Avenue, Waretown, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **June 13, 2013 , at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Ocean Township Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

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Diane B. Ambrosio, RMC, Township Clerk