

**ORDINANCE #07-2019 REGULATING BRUSH, HEDGES AND OTHER PLANT LIFE
NEAR ROADWAYS AND INTERSECTIONS
AND ADDING SECTION 6 TO CHAPTER 19 OF THE
MUNICIPAL CODE OF THE TOWNSHIP OF WANTAGE**

WHEREAS, the presence of brush, hedges and other plant life near roadways and intersections can negatively affect the views of motorists and bicyclists traveling on roadways and at intersections; and

WHEREAS, where it shall be necessary and expedient for the preservation of the public safety to regulate brush, hedges and other plant life along roadways and at intersections; and

WHEREAS, the Township Committee of the Township of Wantage believes that adopting an Ordinance regulating brush, hedges and other plant life near roadways and intersections will result in the preservation of public safety; and

WHEREAS, the Township is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2.26 et. seq.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wantage in the County of Sussex and the State of New Jersey, that there should be created a Chapter ____, Section ____ of the Revised General Ordinances of the Township, entitled “Brush, Hedges and Plant Life Near Roadways and Intersections,” which shall provide as follows:

Section 1.

____.1 Maximum Height of Plant Life Near Roadways and Intersections. The owner or tenant of lands lying within Wantage Township shall keep all brush, hedges and other plant life, growing within ten (10) feet of any roadway and within twenty-five (25) feet of the intersection of two (2) roadways, cut to a height of not more than two and a half (2½) feet.

____.2 Notice to the Owner. If the Zoning Officer or Construction Code Officer determines that any bushes, hedges or plant life exceed the height described in Section 10, they shall give written notice to the property owner at the address shown on the records of the Tax Assessor, and to the tenant of the property, if known, to cut the same within ten (10) days of the Notice, and to provide for the cutting of the same by or under the direction of some officer of the municipality, in cases where the owner or tenant shall have refused or neglected to cut the same in the manner and within the time provided above and to provide for the imposition of penalties for the violation of any such ordinance.

____.3 Costs Constitute a Lien on Land. In all cases where brush, hedges and other plant life are cut from any lands within the limitations of section one hereof. The Zoning Officer or Construction Code Officer shall certify the cost thereof to the Township Committee, which shall examine the certificate and if found correct shall cause the reasonable cost as shown thereon to be charged against said lands. 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 other taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

Section 2. Severability.

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer.

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Dates.

This Ordinance will take effect after publication and passage according to law.

, Mayor
Township of Wantage

ATTEST:

Michael L. Restel, CPWM, Township Administrator/
Acting Clerk

NOTICE is given that this ordinance amendment was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on _ July 11_____, 2019. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on _August 8_____, 2019, at 7:00 o'clock P.M., and copies of the ordinance will be made available at the Administrator's office in the Municipal Building to members of the general public.

Michael L. Restel, CPWM