

**ORDINANCE #26-2021**

**AN ORDINANCE AMENDING CHAPTER 74, PROPERTY MAINTENANCE,  
ARTICLE I, GENERAL REGULATIONS, SECTION 5, EXTERIOR  
STANDARDS, SUB-SECTION K AND SECTION 9.1, INVASIVE PLANTS,  
SUB-SECTION E, REMOVAL, OF THE CODE OF THE BOROUGH OF  
CLAYTON**

***BE IT ORDAINED*** by the Mayor and Council of the Borough of Clayton,  
County of Gloucester and State of New Jersey as follows:

**Section 1.** Chapter 74, Article I, General Standards, Section 5, Exterior  
Standards, Sub-section K is hereby amended to read as follows:

K. Lawns shall be cut, and bushes, shrubs and hedges shall be trimmed regularly during the growing season so as to avoid an unsightly appearance. It shall be unlawful for any individual or person owning property or a corporation owning property in the Borough of Clayton to allow grass and weeds to grow over a height of eight inches. A notice will be sent to the property owner in violation giving them 5 days to comply. A 2<sup>nd</sup> and final notice will be sent to the property owner giving them an additional 5 days to comply. If the violation persists, then the Public Works Department will be directed to mow and/or clean up the property and the Borough will place a municipal lien against the property for the cost to do same.

**Section 2.** Chapter 74, Property Maintenance, Article I, General Regulations, Section 9.1, Invasive plants, Sub-Section E, Removal is hereby amended to read as follows:

E. Removal.

In the event invasive plants are present on the date of adoption of this section and a complaint is received by the Borough regarding an encroachment of any invasive plant, and the Code Enforcement Officer of the Borough, after observation and/or inspection, determines that there is an encroachment or invasion on any adjoining/neighborhood private or public property

or public right-of-way (hereinafter “the affected property”), the Borough shall serve notice to the invasive plant property owners in writing that the invasive plant has invaded other private or public property(ies) or public right(s)-of-way and demand the removal of the invasive plant from the affected property and demand approved confinement against future encroachment or, in the alternative, the total removal from property owner’s property. Notice shall be provided to the invasive plant property owner, by certified return receipt requested mail and regular mail. Within 10 days of receipt of such notice, the invasive plant property owner shall submit to the Code Enforcement Officer of the Borough a plan for the removal of the invasive plant from the affected property, which plan shall include restoration of the affected property after removal. Within 60 days of receipt of the Code Enforcement Officer’s approval of the plan of removal and restoration, the removal and restoration shall be completed to the satisfaction of the Code Enforcement Officer.

### **Section 3. Repealer**

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

### **Section 4. Severability**

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

***BE IT FURTHER ORDAINED*** that this Ordinance shall take effect immediately upon formal approval by the Clayton Borough Council and publication as required by law.


BOROUGH OF CLAYTON



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THOMAS BIANCO, Mayor

Attest:

  
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CHRISTINE NEWCOMB, Borough Clerk

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**NOTICE OF INTRODUCTION**

**BOROUGH OF CLAYTON**

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SUB-SECTION K AND SECTION 9.1, INVASIVE PLANTS, SUB-SECTION E,  
REMOVAL, OF THE CODE OF THE BOROUGH OF CLAYTON**

**TAKE NOTE** that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on October 28, 2021 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 6:30 p.m. on November 10, 2021, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

**BY ORDER** of the Mayor and Council of the Borough of Clayton.

Christine Newcomb  
Borough Clerk

**NOTICE OF ADOPTION**

**BOROUGH OF CLAYTON**

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The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on November 10, 2021.

Christine Newcomb  
Borough Clerk