



# City of Newark

City Hall  
920 Mayor Kenneth A.  
Gibson Boulevard  
Newark, New Jersey 07102

## Legislation Text

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**AN ORDINANCE TO AMEND TITLE XV, SOLID WASTE MANAGEMENT, CHAPTER 8, BRUSH, WEEDS, WASTE MATTER AND DEBRIS OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED BY AMENDING THE TIME TO ABATE WASTE.**

**WHEREAS**, the City of Newark continues to address issues regarding solid waste, rubbish, construction debris, bulk trash, trade waste, and all other types of garbage; and

**WHEREAS**, the improper disposal, especially of bulk waste, can create environmental issues, neighborhood blight and a public health hazard; and

**WHEREAS**, the City seeks to promote responsible waste disposal.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**[Note: Bold and underlined text represents additions, strikethroughs represents deletions]**

### **SECTION 1. AMENDMENT TO TITLE XV SOLID WASTE MANAGEMENT**

Chapter 8, Brush, Weeds, Waste Matter and Debris of the Revised General Ordinances of the City of Newark is hereby amended by amending the time to abate waste.

#### **15:8-2. REMOVAL AND PROTECTION; NOTICE TO REMOVE.**

**a.** The owner or tenant of lands lying within the corporate limits of the City is hereby required to remove or cause to be removed from such lands any brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, solid waste, refuse and debris or any materials deposited in violation of the Revised General Ordinances of the City of Newark.

**b.** Any owner of vacant land on which material has been deposited in violation of this section twice in any one year period shall be required to construct a **fence** ~~suitable barrier~~ to prevent the recurrence of such violations, or to be present or cause a responsible person to be present within 100 feet of the land between the hours of 5:00 p.m. and 9:00 a.m. the following day.

**c.** The Directors of the Department of Public Works, Health and Community Wellness or Engineering **specifically Code Enforcement and/or Sanitation Inspections** shall notify the owner or tenant, in writing, of any violations of this section and require abatement within **2** ~~40~~ days after receipt by such owner or tenant of written notice.

**d. Failure to correct the recorded violations within 2 days after the notice or order has been served may result in a fine of \$500.00 for the first offense and up to \$800.00 thereafter for each violation each day the violation(s) exist beyond the prescribed period of time. If the Court determines that violation(s) exist, the Court shall not consider reducing the total amount of the penalties referred to herein until the Court has been satisfied that the violations are abated.**

**15:8-3. NOTICE: SERVICE, CONTENTS.**

a. Such notice may be served upon any such owner or tenant either personally or by registered or certified mail, return receipt requested. If service is by registered or certified mail, the **two** ~~ten~~-day period within which such removal shall be accomplished shall be deemed to have commenced to run from the date of the delivery of such registered or certified mail as shown on the receipt obtained by the postal authority.

b. Every such notice shall, in addition to requiring the removal as aforesaid, warn the owner or tenant of the lands to which such notice refers that failure to accomplish such removal within the time stated therein will result in removal by or under the direction of the City; that the cost of such removal shall be charged to the owner or tenant of such lands and shall be payable to the City within 30 days after the date of submission of the charges (**if abatement is deemed hazardous that immediate abatement will be done and the property owner will be charged a fee for clean-up and removal**); and that unless such charges are paid within the thirty-day period, the costs aforesaid shall become a lien upon the lands and be collected as provided by N.J.S. 40:48-2.14.

**SECTION 2. CODIFICATION.**

This Ordinance shall be a part of the Code of the City of Newark as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Newark in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**STATEMENT**

Ordinance amending the time period to cure violation and/or notice to abate waste and establish a fine for violations.