

Applicable Ordinances adopted by the Town of Newton concerning exterior property maintenance issues.

213-1 (Duty to remove) [Amended 2-11-2015 by Ord. No. 2015-2]

A. Property maintenance. The owner, occupant, tenant and person in possession of any land within the Town shall keep such land free of brush, weeds, hazardous trees, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris where removal of the same is necessary and expedient for the preservation of the public health, safety, general welfare and/or for the elimination of a fire hazard.

B. Street maintenance. The owner, occupant, tenant and person in possession of any land within the Town that borders upon or abuts a public street in the Town shall keep that part of the street bordering or abutting said land free of brush, weeds, hazardous trees, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, where removal of the same is necessary and expedient for the preservation of the public health, safety, general welfare and/or for the elimination of a fire hazard.

C. Remediation. In the event the owner, occupant, tenant or person in possession fails to remedy the condition noticed by an enforcement officer prior to the noticed deadline, an enforcement officer may cause the condition to be remedied without further notice.

D. Remediation costs a property lien. An enforcement officer shall certify the costs of remediation to the Town Council, which shall examine the certification and, if found correct, cause the remediation cost to be charged against the violating land. The amount charged shall become a lien upon such land and be added to and become and form a part of the taxes next to be assessed and levied upon said land, the same to bear interest at the same rate as taxes,

and shall be collected and enforced by the same officers and in the same manner as taxes, pursuant to N.J.S.A. 40:48-2.14 or its successor statutes.

213-3 (Violations and penalties)

A. Daily fine. For each day a violation persists on a violating property beyond the deadline properly noticed by an enforcement officer pursuant to **213-2** above, there shall be imposed a daily fine in an amount not to exceed \$100 per day until the violation is remedied by any party.

B. Remediation costs. The daily fine is independent of and separate from the costs of remediation borne by the Town, which shall be a lien on the violating property as set forth in **213-2** above.

213-10 (Self-closing and self-securing exterior doors required)

For every residential building that has more than one unit, any and all exterior doors connected to a common hallway must be self-closing and self-securing, and have a lock and door viewer. No person shall tamper with, alter, disable or otherwise thwart the operation of the door closing and securing.

250-2 (Definitions)

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

CONTAINER or BUNDLE

A receptacle constructed of such material and in such a manner to hold garbage, trash, branches, leaves and grass cuttings without breaking or collapsing. A plastic disposable bag shall constitute a sufficient receptacle if it is of sufficient strength to hold the contents without breaking when collected. The receptacle should be of such weight and design as to be able to be conveniently handled by one person and shall be of a maximum weight when fully loaded of not more than 50 pounds; shall not exceed a length when fully loaded of five feet; and shall have a capacity of 20 gallons or less.

GARBAGE, REFUSE and TRASH

Are used interchangeably and are intended to include animal and vegetable waste resulting from the handling, processing, preparation, cooking and consumption of food and shall include glass, metal, paper, rags and other solid waste normally generated in the day-to-day activities of a residential dwelling. The terms "garbage," "refuse" and "trash" are not intended to include large appliances, wood, dirt, gravel, concrete, tree stumps, tires, furniture, dangerous or inflammable substances, dead animals of any kind, water heaters, boilers, large or heavy metals, leaves, box springs, stones, rocks, tree branches, trees, building materials, auto parts or any other items which make it difficult for the collector to remove because of their size, shape, weight or composition.

250-3 (Garbage and trash collection)

Garbage and trash shall be collected from residential units, if it has been placed in securely covered appropriate containers, from the rear yard (that point on the property to the rear of the building line) or, at the option of the resident, at street curb line (that area immediately adjacent to the curb) but not in the street. In the event that there is rear yard collection, the collection utility shall have free access to any container and area from which refuse is to be collected. Such areas are to be kept free from all hazards, and during periods of inclement weather, containers are to be free from ice and snow and readily accessible to the collection utility.

250-4 (Storage prior to collection)

Receptacles for the storage of garbage and trash prior to collection shall be located in the rear yard of the premises or under cover within a building and shall be maintained in such a manner with the cover in place to prevent the creation of a nuisance or a menace to public health.

250-5 (Preparation of refuse for collection)

- A.** All normal household refuse shall be placed in a watertight metal, unbreakable rubber or plastic container with a tight-fitting cover, so constructed as to prevent spilling or leakage of its contents; or
- B.** Heavy-duty plastic bags shall be used for household garbage, providing same are securely and properly tied to prevent spilling or leakage of contents.
- C.** No container or bundle may be stored in such a manner so as to create a nuisance or hazard to public health or a continuing annoyance to an adjacent neighbor.
- D.** No person shall place garbage, refuse or trash in a municipally owned container or in a privately owned container without authorization by owner.

250-6 (Rules for collection)

A. No person shall set or place any garbage or trash or other material, as prepared in accord with **250-5A**, on the curb line for collection from any house, apartment or residential unit before 7:00 p.m. on the day prior to the collection day for the route along which same is situated nor allow any empty containers to remain on the curb line, as herein provided, after 7:00 p.m. on the day of collection.

B. No person shall set or place any garbage or trash or other material, as prepared in accord with **250-5B**, on the curb line for collection from any house, apartment or residential unit before 5:00 a.m. on the day of collection for the route along which same is situated.

250-7 (Violations and penalties)

Any person, firm or corporation who violates or neglects to comply with any provisions of this Chapter **250**, Article **I**, of the Code of the Town of Newton shall, upon conviction thereof, be punished as provided in Chapter **1**, Article **III**, General Penalty.

250-8 (Enforcement)

The Newton Police Department and the members of the Newton Department of Code Enforcement shall have the right to issue summonses to all persons, firms or corporations violating any section of this chapter.