

**BOROUGH OF WOODLAND PARK
COUNTY OF PASSAIC, STATE OF NEW JERSEY
ORDINANCE No. 11-08**

**AN ORDINANCE TO PROHIBIT THE ALLOWANCE OF ANY NUISANCE WITHIN
THE BOROUGH OF WOODLAND PARK**

WHEREAS, the Borough of Woodland Park Hereby Adopts this Ordinance in an effort to preserve and protect the public health of all residents within the Borough of Woodland Park.

Specifically, through this Ordinance, residents within the Borough will be prohibited from engaging in any conduct that constitutes a public nuisance as defined under this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, as follows:

SECTION 1

Definitions

The following definitions will apply to the interpretation of this Ordinance:

- 1.1 “Enforcing official” shall mean and include the Board of Health Officer or other official authorized by the Woodland Park Board of Health to enforce this Ordinance.
- 1.2 “Person” shall mean and include an individual, firm, corporation, association, society, partnership and their agents or employees.
- 1.3 The following matters, things, conditions or acts and each of them are hereby declared to be a nuisance and injurious to the health of the inhabitants of this municipality:
 - a) Any matter, thing, condition or act which is or may become detrimental or a menace to the health of the inhabitants of this municipality;
 - b) Pollution or existence of a condition or conditions which cause or threaten pollution of the airways or any waters in this municipality in such a manner as to cause or threaten injury to any of the inhabitants of this municipality, either in their health, comfort or property;
 - c) The escape into the open air from any stack, vent chimney or any entrance to the open air or from any fire of such quantities of smoke, fly ash, dust, fumes, vapors, mists or gases as to cause injury or detriment or noise to the inhabitants of this Municipality or endanger their comfort, health or safety;
 - d) The growth, existence or presence of ragweed on any plot of land, lot, highway, right of way or any other public or private place;
 - e) The existence or presence of any water or other liquid in which mosquito larvae breed or exist;
 - f) The existence or presence of any accumulation of garbage, refuse, manure or animal or vegetable matter which may attract flies and to which flies may have access or in which fly larvae or pupae breed or exist; and
 - g) Depositing, accumulating or maintaining any matter or thing which serves as food for insects or rodents and to which they may have access or which serves or constitutes a breeding place or harborage for insects or rodents in or on any land, premises, building or other place.
- 1.4 It shall be unlawful for any person or persons to commit, maintain or allow any nuisance as declared and described in this section.

SECTION 2

Inspection

- 2.1 All places and premises in this municipality shall be subject to inspection by the Board of Health or the Enforcing Official if the Board or that official has to reason to believe that any section of this Ordinance is being violated.
- 2.2 It shall be unlawful for any person to hinder, obstruct, delay, resist or prevent the Board of Health or the Enforcing Official from having full access to any place or premises upon which a violation of this Ordinance is believed to exist.

SECTION 3

Abatement of Nuisances

- 3.1 Whenever a nuisance, as declared by Section 1 of this Ordinance is found on any plot of land, lot, right of way or any other private premises or place, notice, in writing, shall be given to the owner thereof to remove or abate same within such time as shall be specified herein, but not less than 5 days from the date of service thereof. A duplicate of the notice shall be left with one or more of the tenants or occupants of the premises or place. If the owner resides out of the state or cannot be so notified in due course or in a timely manner, such notice shall be left at that place or premises with the tenant or occupant or posted on the premises, as such action shall be considered proper notification to the owner, tenant or occupant thereof.
- 3.2 If the owner, tenant or occupant, upon being notified as provided by the section, shall not comply with such notice within the time specified herein and fails to remove or abate such nuisance, the Board of Health shall proceed to abate the nuisance or may cause it to be removed or abated by such means as the Board shall deem proper including the issuance of a summons to the property owner for violation of this Ordinance.

SECTION 4

Recovery of Costs by Board of Health

- 4.1 The Board of Health may institute an action at law to recover costs incurred by the removal or abatement of any nuisance as defined under Section 1 of this Ordinance from any person who shall have caused or allowed such nuisance to exist or from any owner, tenant or occupant of the premises who, after notice and notification as herein provided, shall fail to remove and abate same within the time specified in such notice.

SECTION 5

- 5.1 The provisions of this Ordinance shall be enforced by the Board of Health or its duly appointed enforcing official.

SECTION 6

Violations of Penalties

Any person who violates or neglects to comply with any of the provisions of this Ordinance shall upon being issued a proper summons as identified in Section 3.2 of this Ordinance by the appropriate official and be liable for a penalty of not more than \$100.00 for each violation.

Introduced: May 18, 2011

Adopted: June 1, 2011