

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 1464

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11,
BRUSH MAINTENANCE, REGULATING BRUSH, WEEDS AND DEBRIS
ON ALL LANDS WITHIN THE BOROUGH OF WILDWOOD CREST**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, pursuant to the authority granted by N.J.S.A. 40:48-2.13 through N.J.S.A. 40:48-2.14 has determined that it is necessary and proper for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants to amend and supplement the regulations governing the removal or destruction of brush, weeds and debris from all lands located within the Borough of Wildwood Crest.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows:

Section 1. Ordinance Number 907 adopted June 17, 2002, Ordinance Number 1294 adopted February 20, 2019 and Ordinance Number 1342 adopted February 10, 2021 codified in the Code of the Borough of Wildwood Crest Chapter 11 is hereby amended as follows: (added language is underlined, deleted language is stricken)

Section 2. The **Article I Trees, Hedges and Shrubs** title shall be amended as follows: (added language is underlined, deleted language is stricken)

Article I Trees, Hedges and Shrubs in Right-of-Way

§ 11-2. Failure to comply.

All trees, hedges or shrubs standing on private property whose branches shall extend over any street or sidewalk shall be trimmed under the supervision of the Department of Public Works so as to prevent impediment to travel or obstruction to street lights or street signs and sight triangles. Failure of the owner of the property or of the person in possession thereof to trim any tree, hedge or shrub within ten (10) days after notice from the Police Chief and/or Code Enforcement Official or their designee to do so shall constitute a violation of this Article. The Code Enforcement Official shall certify the cost of the corrective action taken, which shall include, but not be limited to, personnel hours used, equipment usage, tipping fees, and subcontractors retained to perform such work, to the governing body, which shall examine the certificate, and if found correct shall cause the cost as shown thereon to be charged against said property; and the amount so charged shall forthwith become a lien and levied upon such property, 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. Upon the conviction of any person in the Municipal Court, any outstanding fees and costs that are owed under this section may be included with any penalty imposed by the Court for a violation hereof.

Section 3. A new Article III is hereby added to Chapter 11, which shall read as follows:

Article III Removal of Brush, Weeds and Debris

§ 11-13. Purpose.

The Borough of Wildwood Crest, pursuant to N.J.S.A. 40:48-2.13, as amended, finds that it is necessary and expedient for the preservation of the public health, safety and general welfare to eliminate fire hazards and require the removal or destruction of brush, weeds, trash, garbage and debris from all property within the Borough of Wildwood Crest.

§ 11-14. Removal of brush, weeds, trash, garbage and the like.

All property within the Borough limits shall be maintained, by the property owner, or person in possession of the property, including such areas abutting the property extending from and including the gutter to the property line, free from brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris. Grass shall not be permitted to exceed 10 inches in height.

§ 11-15. Notice of Violation.

Whenever the Code Enforcement Official determines that there has been a violation of this article or has reasonable grounds to believe that a violation has occurred, notice shall be given to the owner or the person in possession of the property in the manner prescribed below. The notice shall give the owner or other person in possession of the property 10 days after receipt of the notice to destroy and/or remove same. Such notice shall:

- A. Be in writing.
- B. Include a description of the real estate sufficient for identification.
- C. Include a statement of the reason or reasons why the notice is being issued.
- D. Include a correction order allowing 10 days for the abatement of the violation in order to bring the property into compliance with the provisions of this article.
- E. Include an explanation of the owner's right to seek modification or withdrawal of the notice.
- F. Such service shall be deemed to be properly served upon such owner or person in possession if a copy thereof is delivered personally or by posting a copy thereof in a conspicuous place on or about the property affected by such notice, or by certified or registered mail, together with regular mail, addressed to the owner or person in possession at the last known address with return-receipt requested.

§ 11-16. Failure to correct violation; correction by Borough.

Should the owner or the person in possession fail to correct the violation or violations within the time period prescribed in the notice, the Code Enforcement Official shall proceed to have the violation or violations corrected, and shall remove, cause to be removed or destroy such brush, weeds, ragweed, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris. The Code Enforcement Official shall certify the cost of the corrective action taken, which shall include, but not be limited to, personnel hours used, equipment usage, tipping fees, and subcontractors retained to perform such work, to the governing body, which shall examine the certificate, and if found correct shall cause the cost as shown thereon to be charged against said property; and the amount so charged shall forthwith become a lien and levied upon such property, 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.

§ 11-17. Violations and penalties.

Any person who violates any of the provisions of this article shall, upon conviction thereof, be subject to a penalty of not more than \$2,000 and/or imprisonment for a period not exceeding 90 days, and/or a period of community service not to exceed 90 days. Any continuation or repetition of any violation shall be deemed a new and separate offense, and upon conviction thereof be subject to the penalties herein.

Section 4. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

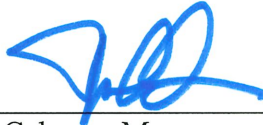
Section 5. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

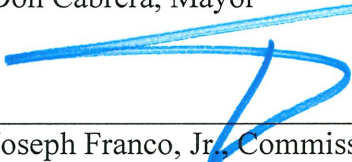
Section 6. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section 7. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: August 13, 2025


Patricia A. Feketics, Borough Clerk


Don Cabrera, Mayor


Joseph Franco, Jr., Commissioner


Joseph Schiff, Commissioner

Introduced: July 30, 2025
Adopted: August 13, 2025