

ORDINANCE 2016-04

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 273 OF THE TOWNSHIP CODE ENTITLED "PROPERTY MAINTENANCE" SO AS TO ADD ARTICLE II ENTITLED "CONTROL OF INVASIVE PLANTS"

NOW THEREFORE, BE IT ORDAINED, by the governing body of the Township of

Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 273, entitled, "Property Maintenance," so as to add Article II (§ 273-3-§ 273-7) which shall be entitled "Control of Invasive Plants" and which shall read as follows:

§273-3 Purpose.

A. The purpose of this Section is to protect and promote the public health through the control of the growth of invasive plants.

§273-4 Definitions.

INVASIVE PLANTS.

All native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious shall be classified as invasive plants. These plants may damage trees, vegetation, or structures. Examples include but are not limited to bamboo (spreading or running type), ragweed, multi flora rose, kudzu-vine and poison ivy or oak.

§273-5 Control of Growth Required

All persons must control the growth of invasive plants. Failure to control the spread of such vegetation beyond the boundaries of a resident's property is a violation of this chapter.

§ 273-6 Inspections:

All places and premises in the Township of Little Egg Harbor shall be subject to inspection by the Code Enforcement Officer or his designee. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Township of Little Egg Harbor. Such inspection shall be made if that official has reason to believe that any section of this chapter is being violated.

§ 273-7 Violations and Penalties

- (1) Whenever an invasive plant as defined by this chapter is found on any plot of land, lot or any other premises or place, a violation shall be given to the owner, in writing, to remove or abate the same within such time as shall be specified therein. The Township recognizes that certain invasive plant types can be difficult to eradicate or remove, therefore the time for abatement will depend on the particular species of invasive plant.
- (2) The cost of abatement shall be borne by the property owner.
- (3) If the owner fails to comply with such notice within the time specified therein, the enforcing official may remove or otherwise control the invasive plant species and the Township may thereafter recover the cost of such removal from the property owner and place a lien on the property to recover the cost of invasive plant removal.

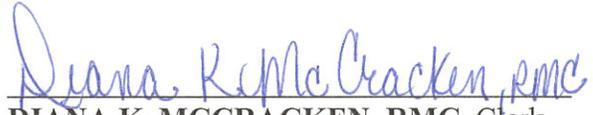
SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 14th day of **July, 2016**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 11th day of

August, 2016, at 7:30 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor

Introduction – July 14, 2016

Motion to Introduce: Kehm Second: Schlick Roll Call:

Gormley	<u>Absent</u>
Kehm	<u>yes</u>
Kobryn	<u>yes</u>
Schlick	<u>yes</u>
Stevens	<u>yes</u>

Second Reading & Adoption – August 11, 2016

Motion to Adopt: Stevens Second: Kehm Roll Call:

Gormley	<u>yes</u>
Kehm	<u>yes</u>
Kobryn	<u>yes</u>
Schlick	<u>yes</u>
Stevens	<u>yes</u>