

**ORDINANCE NO. 2022-18**

**AN ORDINANCE OF THE TOWNSHIP OF  
BARNEGAT, COUNTY OF OCEAN AND STATE OF  
NEW JERSEY ESTABLISHING CHAPTER 55E OF  
THE TOWNSHIP CODE ENTITLED  
“INVASIVE PLANTS”**

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 55E of the Township Code entitled “Invasive Plants” is hereby established and shall read as follows:

**SECTION 1.**

**Chapter 55E-1. Purpose.**

The purpose of this Ordinance is to protect and promote the public health through the control of growth of invasive plant species.

**Chapter 55E-2. Definitions.**

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

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

**Chapter 55E-3. Control of Growth.**

All property owners must control the growth of invasive plants onto their property and insure that the growth of invasive plants does not spread to adjoining properties. Failure to control the spread of such vegetation beyond the boundaries of the owner’s property is a violation of this chapter.

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ATTORNEYS AT LAW

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#### **Chapter 55E-4. Inspections.**

All places and premises in the Township of Barnegat shall be subject to inspection by the Code Enforcement Officer. Such inspections shall be performed by such person, or persons, or agency duly authorized and appointed by the Township of Barnegat. An inspection shall be made if that official believes that any section of this Chapter is being violated.

#### **Chapter 55E-5. Removal or Abatement.**

- A. Whenever an invasive plant as defined in this chapter is found to have spread to an adjoining property, a notice of violation shall be given to the owner of the property from which the invasive plant originated, in writing. That person/owner shall be ordered to remove and abate the same within such time as may be specified therein. The time period within which the invasive plant must be removed or abated will be up to but not more than three (3) months from date of notice of violation.
- B. The cost of the abatement shall be borne by the property owner.

#### **Chapter 55E-6. Violation of Chapter.**

In the event that the property owner fails to properly adhere to and comply with the notice of violation, and after the time period to remove or abate the problem has expired, a continuing violation of any provision of this chapter shall be punished by a fine of not less than \$100 nor more than \$1500 per week.

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

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**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**

**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 Barnegat on the **2<sup>nd</sup> day of August, 2022**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **6<sup>th</sup> day of September, 2022, at 6:30 PM.** at the Municipal Building located at 900 West Bay Avenue, Barnegat, 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.

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Donna M. Manno, RMC  
Municipal Clerk

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