

ORDINANCE 2023-11

BOROUGH OF NEPTUNE CITY  
COUNTY OF MONMOUTH

AMENDING CHAPTER 89 OF THE BOROUGH CODE, ENTITLED "NUISANCES" TO RENAME SUBSECTION 89-1  
AND ADD ARTICLE II ENTITLED "REGULATION OF INVASIVE PLANT SPECIES"

WHEREAS, the Administrator and Code Enforcement Officer have recommended an addition to Chapter 89 of the Borough Code entitled "Nuisances" to add Article II to regulate Invasive Plant Species; and

WHEREAS, the Borough Council believes it is in the best interest of its residents to approve these amendments.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Neptune City, County of Monmouth, State of New Jersey that it hereby amends Chapter 89 "Nuisances" as follows:

Deletions are noted by ~~strike-throughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in any way.

Chapter 89 Nuisances

**Article I. Line of Sight Obstructions**

§ 89-1 through § 89-4 [remain unchanged]

**Article II. Invasive Plant Species**

**§89-5 Purpose.**

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

**§ 89-6 Definitions.**

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

**INVASIVE PLANTS**

**All native and non-native vines, vegetation and flowering vines that grow out of place 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.**

**§ 89-7 Control of growth.**

**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 to invade the including but not limited to, growth onto neighboring properties, and public or non-public utilities is a violation of this chapter.**

**§ 89-8 Inspections.**

**All places and premises in the Borough of Neptune City shall be subject to inspection by the enforcement officer. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Borough of Neptune City. An inspection shall be made if that official has reason to believe that any section of this chapter is being violated.**

**§ 89-9 Removal or abatement.**

- A. 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 notice shall be given to the owner, in writing, to remove or abate the violation within such time as shall be specified in such notice.**
- B. The cost of abatement shall be borne by the property owner.**
- C. 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 Borough 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.**

**§ 89-10 Violations and penalties.**

**Any person, partnership, limited-liability company, corporation or other entity who shall violate any provision of this chapter shall, upon conviction thereof, be subject to the maximum fines and penalties established under N.J.S.A. 40:49-5 and 40:69A-29, and as same shall be amended from time to time. Each and every day a violation of this chapter shall exist shall constitute a separate violation.**

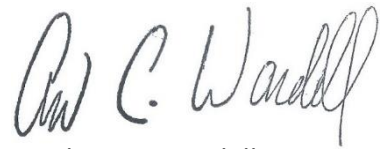
This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: October 23, 2023  
DATE ADOPTED: November 13, 2023

ATTEST



Corinne DiCorcia Williams, RMC  
Date: 11/13/2023



Andrew C. Wardell, Mayor  
Borough of Neptune City