

**BOROUGH OF FRANKLIN LAKES
ORDINANCE NO. 1935**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 162
“BAMBOO” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES
TO AMEND PROVISIONS RELATING TO ABATING VIOLATIONS**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin Lakes, in the County of Bergen and State of New Jersey as follows:

Section 1. Section 162-4 “Notice; order for removal and compliance” of Chapter 162 “Bamboo” of the Code of the Borough of Franklin Lakes is hereby amended to read as follows:

§ 162-4 Notice; order for removal and compliance.

Whenever the Code Enforcement Official determines that there is an encroachment of bamboo plants or roots onto public property or the property of another, the Code Enforcement Official shall forward a notice of violation to the offending person, property owner, or other in possession of such property, which notice shall be substantially as follows:

- A. The notice shall be mailed by certified mail, return receipt requested, properly addressed and with sufficient postage, and also by first class mail. Notice by certified mail shall be deemed served on the date of personal delivery, or the date the certified mail is marked "refused" or "unclaimed" or otherwise undeliverable by the United States Post Office.
- B. The notice shall specify the nature of the violation.
- C. The notice shall state that the violation must be cured within 30 days from the date of the received or returned mailing.
- D. The notice shall state specifically what must be done by the violator to abate the violation which may include, but is not limited to, creating a barrier to prevent the spread of bamboo onto the property of another.

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

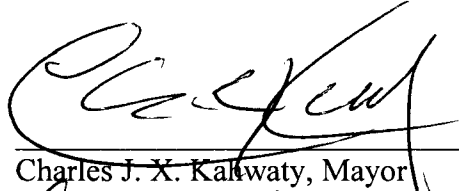
Section 3. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Franklin Lakes declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.

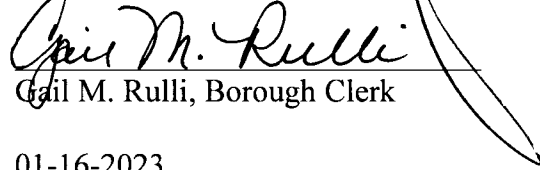
This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED:



Charles J. X. Kalwaty, Mayor

ATTEST:



Gail M. Rulli, Borough Clerk

Introduced: 01-16-2023

Adopted: 02-20-2024