

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**ORDINANCE NO. 531-2024**

**AN ORDINANCE REGULATING THE USE OF ARTIFICIAL TURF IN THE CITY OF CAPE MAY**

**WHEREAS**, the City of Cape May, a National Historic Landmark, encompasses a nationally renowned historic district and in addition contains numerous historic structures that are central to the City’s reputation as a world-class destination resort; and

**WHEREAS**, pursuant to Ordinance 508-2023, the City Council adopted updated Historic Design Standards for the City of Cape May Historic Preservation Commission; and

**WHEREAS**, the Historic Design Standards provide that vegetation plantings should be native or indigenous to Cape May and that the use of synthetic grass or turf in visible yards is not appropriate; and

**WHEREAS**, the use of artificial turf is associated with a number of adverse impacts including (1) contaminating runoff and migration of synthetic particles, including infill and plastic grass blades, into the surrounding environment; (2) loss of wildlife habitat; (3) an increase in temperature compared to natural grass in sunny weather; and (4) limited useful life and resulting in an increase in waste (Source: [https://www.turi.org/content/download/13559/206802/file/ArtificialTurfConcerns\\_flyer\\_April2021.pdf](https://www.turi.org/content/download/13559/206802/file/ArtificialTurfConcerns_flyer_April2021.pdf) *University of Massachusetts Lowell, Toxics Use Reduction Institute*); and

**WHEREAS**, having considered the matter, the Cape May City Council has determined that it is in the best interest of the public health, safety, and general welfare to amend the code to extend the prohibition on artificial turf throughout the City; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-26, prior to the final adoption of this development regulation, the Planning Board has reviewed the proposed regulation for consistency with the Master Plan on March 26, 2024 and the City Council has reviewed the report and any recommendation of the Planning Board.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Cape May as follows:

**Section 1.** Sections 525-60 of the Cape May City Code regarding Design standards is hereby amended as follows to include the following NEW SUBSECTION 525-60(S):

§ 525-60 Design standards.

S. Artificial Turf.

- (1) The installation of artificial turf as an alternative to natural landscaping is prohibited in the City of Cape May. As used in this section, “artificial turf” means any of various synthetic, carpet-like materials made to resemble turf or grass and used as a substitute for grass or other natural substances as a

lawn, or other similar applications. Any installations of artificial turf existing in the City of Cape May at the time of the adoption of this section may be maintained but may not be expanded in any fashion. At the end of the artificial turf installation’s useful life, the artificial turf must be replaced by grass or other permitted ground covering.

- (2) Exceptions. (a) The prohibition on use of artificial turf shall not apply to commercial miniature golf courses. (b) Projects undertaken by the City on City owned property are exempt from these provisions but remain subject to HPC advisory review pursuant to Section 525-37, if applicable.

**Section 2.** All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

**Section 3.** This ordinance shall take effect 20 days after passage and publication, according to law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey

\_\_\_\_\_  
Erin C. Burke, City Clerk

BY: \_\_\_\_\_  
Zachary M. Mullock, Mayor

**NOTICE**

Ordinance number 531-2024 was introduced at a regular meeting of the City Council of the City of Cape May, held on April 16, 2024 and was further considered for final passage during a meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on May 7, 2024 at 5:00 P.M. at which time a Public Hearing was held.

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Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Yeager	X					X
Meier	X					
McDade	X					
Baldwin	X				X	
Mullock	X					

Introduced: April 16, 2024  
 First Publication: April 24, 2024  
 2nd Reading & Adoption: May 7, 2024  
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