

**BOROUGH OF INTERLAKEN  
ORDINANCE NO. 2023-4**

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING  
AND SUPPLEMENTING CHAPTER XI "PROPERTY MAINTENANCE"  
TO ADD 11-4 "BAMBOO".**

**BE IT ORDAINED**, by the Borough Council of the Borough of Interlaken, in the County of Monmouth, State of New Jersey, as follows:

**SECTION ONE.** Chapter XI "Property Maintenance," Section 11-4. is added as follows:

**§ 11-4.BAMBOO.**

**§ 11-4.1. *Purpose and Intent.***

The purpose of this section is to preserve and protect private and public property from the damaging spread of running bamboo grasses and to protect indigenous plants and the wildlife they support from the invasive spread of such bamboo.

**§ 11-4.2. *Definitions.***

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

***Bamboo Property Owner(s)*** – Any property owner(s) or tenant(s) who, or which, have running bamboo on their property, even if the bamboo has spread onto their property from an adjoining property.

*Borough* – The Borough of Interlaken, Monmouth County, New Jersey.

*Notice* – Any written notice by, from or on behalf of the Borough, notifying the bamboo property owner(s) that they are in violation of this section and directing them to cure or fix the violation. Such notice shall be sent by certified mail, return receipt requested, addressed to the owner(s) listed on the current tax address on file with the Borough. A copy may also be posted on the property in question.

*Receipt of Notice* – Receipt of the notice required herein shall be the date of mailing said notice, or, if applicable, posting of the notice on the property in question, whichever is earlier.

*Running Bamboo* – Any monopodial (running) woody grass from the genera of bamboos including, but not limited to, Bambusa, Phyllostachys and Pseudosasa, as well as common bamboo, golden bamboo and arrow bamboo.

**§ 11-4.3. *No Planting of Running Bamboo.***

The in-ground planting of running bamboo is prohibited in the Borough.

**§ 11-4.4. *Regulation of and Limitations on Existing Running Bamboo.***

a. In the event any species commonly known as “running bamboo” is located upon any property within the Borough, prior to the effective date of this prohibition, the owner and occupant of said property shall jointly and severally be required to confine such species to prevent encroachment, spread, invasion or

intrusion of same onto any other private or public property or public right-of-way. In lieu of confining the species, the property owner or occupant may elect to totally remove the bamboo from the property. Failure to properly confine such bamboo shall require removal as set forth below. The cost of said removal shall be at the bamboo property owner's expense.

**§ 11-4.5. *Removal of Running Bamboo.***

a. Whenever running bamboo, as defined by this section, is found on any plot of land, lot or any other premises or place, and is found to lack appropriate physical barriers to prevent the spread or growth of the species, or is found to have spread beyond the boundaries of a property, notices shall be given to the owner of the property from which the running bamboo has spread, in writing, to remove or abate the same within 30 days of receipt of notice. Thereafter, the Borough may remove the running bamboo. The cost of all remedies, including the removal of running bamboo by the Borough, shall be borne by the Bamboo Property Owner.

b. Any person violating the provisions of this section shall, upon conviction, be punished by a fine of not more than \$2,000, or community service, as determined by the Municipal Court of the Borough. A continuation of such violation for each successive day shall constitute a separate offense and the person or persons allowing or permitting the continuation of such violation will be punished as provided above for each separate offense.

**§ 11-4.6. Inspection.**

All places and premises in the Borough shall be subject to inspection by the Code Enforcement Officer to determine compliance with this section.

**SECTION TWO.** All other sections and subsections of the Borough Code will remain unaltered.

**SECTION THREE.** If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION FOUR.** All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

**SECTION FIVE.** This Ordinance shall take effect immediately upon its final passage and publication according to law.

APPROVED:



**MICHAEL NOHILLY**

Mayor

ATTEST:



**LORI REIBRICH**

Borough Clerk

| <b>ORDINANCE READING</b>                | <b>DATE</b>     |
|---|-----------------|
| <b>1<sup>ST</sup> READING BY TITLE:</b> | July 19, 2023   |
| <b>2<sup>ND</sup> READING BY TITLE:</b> | August 16, 2023 |

I, Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on August 16, 2023.

  
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 Lori Reibrich, RMC

| Record of Vote    | Mayor Nohilly | Council President Butler | Councilwoman Horowitz | Councilman Delia | Councilman Franks | Councilman DeSarno | Councilman Blasucci |
|-------------------|---------------|--------------------------|-----------------------|------------------|-------------------|--------------------|---------------------|
| Motion to Approve |               |                          |                       |                  | <b>X</b>          |                    |                     |
| Motion to Second  |               | <b>X</b>                 |                       |                  |                   |                    |                     |
| Approved          |               | <b>X</b>                 | <b>X</b>              |                  | <b>X</b>          | <b>X</b>           | <b>X</b>            |
| Opposed           |               |                          |                       |                  |                   |                    |                     |
| Not Voting/Recuse |               |                          |                       |                  |                   |                    |                     |
| Absent/Excused    |               |                          |                       | <b>X</b>         |                   |                    |                     |