

TOWNSHIP OF MAPLEWOOD



ORDINANCE # 3136-24

AN ORDINANCE TO CREATE A NEW ARTICLE IV UNDER CHAPTER 93 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED “CONTROL OF PLASTIC DUST AND CONTAMINANTS DURING CONSTRUCTION”

“Interpretive Statement”

This Ordinance will supplement Chapter 93 (“Building Construction”) of the Township Code with a new Article to describe the requirements for controlling plastic and dust contaminants during construction and preventing them from entering the watershed.

WHEREAS, the Township Committee (the “Township Committee”) of the Township of Maplewood, New Jersey (the “Township”) seeks to maintain a strong quality of life in Maplewood’s neighborhoods; and

WHEREAS, the Township of Maplewood recognizes the importance of maintaining clean and safe worksites to protect the environment and public health. Therefore, it is imperative that contractors take measures to minimize the release of dust and plastic contaminants from their worksites, thereby preventing harm to the community and to the environment at large; and

WHEREAS, as further described below, the Township believes that it is in the best interests of its residents to enact additional regulations regarding control of plastic and dust contaminants during construction and preventing the contaminants from entering the watershed, in a manner benefiting the health, safety, and welfare of Township residents,

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey, as follows:

Section 1. Recitals. The aforementioned recitals are incorporated herein as if set forth at length.

Section 2. Chapter 93 Supplemented to Add New Article IV. Chapter 93 of the Township Code, entitled “Building Construction”, is hereby supplemented to add a new Article IV as follows:

Article IV: Requirements for Containment of Microplastics During Construction

A. Dust, Trash, and Plastic Contaminants Control

In addition to other regulations, whether contained in the Township Code or otherwise, any party undertaking construction activities within the Township shall adhere to the following guidelines to control dust, trash, and plastic contaminants at their worksites:

- a) When cutting or drilling AZEK, TREX, any fiberglass, plastic, poly-compound materials, plastics or wood, use a vacuum attachment on all saws when practical to minimize the release of dust and microplastic particles;
- b) Cut and drill in confined spaces to keep dust levels to a minimum and facilitate ease of cleanup;
- c) Do not engage in cutting or drilling activities without placing a tarp under power tools to catch debris and contaminants;
- d) Tarp work areas and clean the area a minimum of once a day to prevent the dispersion of dust and plastic contaminants; and
- e) Clean up all wood and plastic contaminants before leaving their worksites, ensuring that no waste is left behind nor can be blown into neighboring properties or the street.

B. Prohibition on Storm Drain Disposal

- a) Blowing debris, dust, or plastic contaminants into streets and/or storm drains is strictly prohibited. Waste materials must be disposed of properly in accordance with existing municipal waste disposal regulations.
- b) Waste and recyclable materials, such as cardboard, and must be separated and disposed of in accordance with Township ordinances.
- c) Where any site drains to a public stormwater inlet after stormwater leaves the property, prior to cutting, drilling, or engaging in any other activity regulated by this Article IV, the party shall install a filter at that stormwater inlet made of Polypropylene Geotextile which conforms to ASTM Test D4491, D4751, and D4355.

C. Compliance and Enforcement

Any person who violates, fails, or refused to comply with this chapter or any part or section thereof, shall, upon conviction in the Municipal Court be punished for each offense by a fine not to exceed \$1,000.00 or by imprisonment for any term not exceeding 90 days, or both. Every such violation or refusal shall be deemed a separate violation, and each day that the same shall continue shall be deemed a separate violation. Violations of this section 93-11(E) may be enforced by a Zoning Official, the Health Department, and the Property Maintenance Division of the Township of Maplewood.

Contractors are responsible for informing their employees and subcontractors of the requirements and obligations set forth in this ordinance.

Section 3. All Sections Not Expressly Amended or Supplemented Remain Unchanged. All other portions of Chapter 93 not expressly amended or supplemented shall remain unchanged.

Section 4. Availability of the Ordinance. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

Section 5. Severability. If any section, paragraph, sub-paragraph, clause or provision, of this Ordinance shall be adjudged invalid, such adjudication shall apply to the specific section, paragraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.


Section 6. Repeal of Prior Ordinances. Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

Section 7. Effective Date. The Ordinance shall take effect after final passage and publication as provided by law.

PUBLIC NOTICE is hereby given that foregoing proposed Ordinance was introduced and read by title at a meeting of the Township Committee of the Township of Maplewood, held on November 6, 2024 and that the Township Committee will meet again on November 18, 2024 at 7:30 p.m. at the Municipal Building, 574 Valley Steet, Maplewood, New Jersey, at which time and place the Township Committee will hold a hearing and proceed to consider the said Ordinance on final reading and final passage.

MOTION: Dafis **SECOND:** Adams
YES: Cripe, Dafis, De Luca, Engel, Adams
NO: None
ABSTAIN: None
ABSENT: None

Introduction: November 6, 2024
Adoption: November 18, 2024



ATTEST Amari Allah, Deputy Township Clerk