

**BOROUGH OF POINT PLEASANT BEACH
OCEAN COUNTY, NEW JERSEY
Ordinance 2026-11**

**ORDINANCE ESTABLISHING CHAPTER 12-5 OF THE BOROUGH CODE TITLED
“CONSTRUCTION DEBRIS”**

WHEREAS, the Borough maintains Chapter 12 titled “BUILDINGS” which regulates the construction and maintenance of buildings within the Borough; and

WHEREAS, the Borough seeks to regulate the debris, dust, and other contaminants that traditionally come from construction sites to protect the community.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Point Pleasant Beach in the County of Ocean, State of New Jersey, as follows:

SECTION I. Ordinance § 12-5, titled “CONSTRUCTION DEBRIS” is hereby established as follows:

§ 12-5.1. Definitions.

- a. “Plastic dust and contaminants” means fine particles, debris, or waste created from cutting, drilling, sanding, or altering plastic, composite, fiberglass, poly-compound, or similar materials, including but not limited to AZEK and Trex.
- b. “Contractor” means any individual, including any homeowner or resident performing work on their own property, or any business entity engaged in construction, renovation, repair, or related activities within the Borough of Point Pleasant Beach.
- c. “Worksite” means any location within the Borough of Point Pleasant Beach where construction, renovation, or related activity is occurring.
- d. “Storm drain” means any inlet, catch basin, or drainage system designed to collect stormwater and discharge it into local waterways.

§ 12-5.2. Plastic Dust and Debris Control.

- a. Contractors shall take reasonable and necessary steps to prevent plastic dust, debris, and contaminants from leaving the worksite.
 - 1. Contractors shall use vacuum attachments on saws and cutting tools when practical while cutting or drilling plastic, composite, fiberglass, or wood materials.
 - 2. Contractors shall conduct cutting and drilling in controlled areas and place tarps or other containment materials beneath tools to capture debris.
 - 3. Contractors shall tarp work areas as necessary and clean the worksite at least once per day.

4. Contractors shall remove all plastic and wood debris before leaving the worksite and ensure no materials can be blown or washed into neighboring properties, streets, or storm drains.
- b. Contractors shall not blow, sweep, or wash debris, dust, or plastic contaminants into streets or storm drains.
- c. Contractors whose worksite drains toward a public storm drain shall install a storm drain filter prior to cutting, drilling, or similar activity to prevent debris from entering the drainage system.
- d. Contractors shall properly separate and dispose of trash and recyclable materials in accordance with Borough ordinances.

§ 12-5.3. Penalties; Enforcement.

- a. Any contractor violating any provision of this ordinance shall be subject to:
 1. A notice of violation requiring immediate corrective action.
 2. A fine of up to \$100 per violation per day for continued noncompliance.
- b. Each day a violation continues shall constitute a separate offense.

§ 12-5.4. Public Education.

The Borough of Point Pleasant Beach shall promote awareness of this ordinance through public education efforts, including guidance for contractors and residents on preventing plastic pollution and protecting local waterways.

SECTION II. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION III. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION IV. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

Introduced: April 21, 2026

Adopted: May 5, 2026

The foregoing ordinance is approved this 5th day of May 2026:

Douglas R. Vitale, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Governing Body of the Borough of Point Pleasant Beach, in the County of Ocean, State of New Jersey, on April 21, 2026. It was further considered for final passage, and was adopted, after second reading and public hearing thereon at a regular meeting of the Governing Body held in the Council Chambers at Borough Hall, 416 New Jersey Avenue, Point Pleasant Beach, NJ, on May 5, 2026, which began at 7:30 p.m., at which time and place any person desiring to be heard was given an opportunity to be so heard. During the week prior to and up to and including the date of such meeting, copies of the full ordinance were available at no cost for the members of the general public in the Municipal Building, 416 New Jersey Avenue, Point Pleasant Beach, NJ 08742 and on the Borough's website: (<https://www.pointpleasantbeach.gov/223/New-Ordinances>) or could be obtained by calling the Borough Clerk (732/892-1118, extension 210) during the hours of 9AM to 4PM.

EILEEN A. FARRELL, RMC
Municipal Clerk

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance establishes Ordinance § 12-5 titled "CONSTRUCTION DEBRIS" which regulates the debris, dust, and other contaminants created by construction sites.