

ORDINANCE #23-09

**AN ORDINANCE OF THE BOROUGH OF RUNNEMEDE, COUNTY OF
CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 95,
BRUSH GRASS AND WEEDS AND CHAPTER 281, PROPERTY
MAINTENANCE, OF THE BOROUGH CODE**

WHEREAS, it has been determined the bamboo plant is an invasive plant and often difficult to control, and can and has caused significant damage and nuisances to properties and residents in the Borough of Runnemede ("Borough"); and

WHEREAS, pursuant to N.J.S.A. 40:48-2.13, the Borough is authorized to enact ordinances requiring the destruction and removal of brush, weeds, stumps, roots and obnoxious growth where necessary to preserve the public health, safety and general welfare; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Borough is authorized to enact ordinances for the protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, Mayor and Council have deemed it in the best interest of the public health, safety and welfare to amend Chapter 95 and Chapter 281 of the Borough Code to regulate the growth of bamboo;

NOW THEREFORE, be it Ordained by Mayor and Council of the Borough of Runnemede, County of Camden, State of New Jersey, as follows:

SECTION 1: Chapter 95, Brush Grass and Weeds, and Chapter 281, Property Maintenance, of the Code of the Borough of Runnemede are hereby amended, revised and supplemented by adding a new Article to each chapter which shall provide as follows:

CHAPTER 95 BRUSH, GRASS AND WEEDS

§ 95-9. Bamboo Regulations

A. Purpose. The purpose of this subsection is to preserve and protect private and public property from the damaging spread of bamboo grasses, protect property and indigenous plant materials from the invasive spread of bamboo and to maintain the general welfare of the residents of the Borough of Runnemede.

B. Prohibition. No owner, tenant or occupant of a property, or person, corporation or other entity, shall plant, install or cause or permit the planting or installation of plant species commonly known as "bamboo-running" upon any property located within the Borough of Runnemede except as provided for and in accordance with the provisions of this Ordinance.

C. Duty to confine.

(1) In the event any species commonly known as "bamboo-running" is located upon any property within the Borough of Runnemede, the owner or occupant of said property shall confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other private or public property or public right of way by way of a rhizome (underground stem) barrier, which shall:

(a) be constructed of concrete, metal or plastic, such as high-density polypropylene, 40 mil or heavier, glued or taped at junctions, or clamped with stainless-steel clamps;

(b) be at least three feet deep and project at least one inch above ground level; and

(c) be slanted outward at the top so that when the stems hit the barrier they will bend upwards.

- (2) Rhizomes that arch or grow over the top of the barrier shall be cut off to prevent the spreading thereof. Failure to properly confine such bamboo in accordance with this section shall require its complete removal.

D. Removal.

In the event it is determined that there is an encroachment or invasion on any adjoining private or public property or public right of way, the Borough shall notice the bamboo property owner in writing that the bamboo has invaded other private or public property or public right of way and demand the removal of the bamboo from such other private or public property or public right of way and the confinement against future encroachment or the total removal of the bamboo from the owner's property. Notice shall be provided by certified, return receipt requested mail and regular mail. If the bamboo property owner does not remove the bamboo from such other private or public property or public right of way within 45 days of the date of notice, the Code Enforcement Officer shall cause a citation to be issued with a penalty up to \$100.00 for each day the violation continues, enforceable through the Municipal Court of the Borough of Runnemede, as well as civil proceedings for injunctive or civil relief. Nothing herein shall be interpreted as limiting the rights of a private property owner to seek civil relief through a Court of proper jurisdiction, nor the institution of civil proceedings against the proper parties. When an encroachment is upon public property or public right of way, the Borough of Runnemede, at its discretion, may remove or contract for the removal of such bamboo from the Borough property or public right of way, the cost of which shall be the responsibility of the bamboo property owner and shall be assessed as a lien against the property on which the bamboo growth originated. The cost of removal from the Borough owned property and or public right of way shall include the installation of an appropriate barrier to prevent future bamboo invasion.

E. Violations and penalties. Except as otherwise provided in subsection D above, any person, firm, corporation or other entity violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not less than \$500.00 but not more than \$2,000.00, in the discretion of the Judge before whom such conviction shall be entered.

CHAPTER 281 PROPERTY MAINTENANCE

Article VI Bamboo Regulations

§ 281-34. Purpose.

The purpose of this subsection is to preserve and protect private and public property from the damaging spread of bamboo grasses, protect property and indigenous plant materials from the invasive spread of bamboo and to maintain the general welfare of the residents of the Borough of Runnemede.

§ 281-35. Prohibition.

No owner, tenant or occupant of a property, or person, corporation or other entity, shall plant, install or cause or permit the planting or installation of plant species commonly known as "bamboo-running" upon any property located within the Borough of Runnemede except as provided for and in accordance with the provisions of this Ordinance.

§ 281-36. Duty to confine.

A. In the event any species commonly known as "bamboo-running" is located upon any property within the Borough of Runnemede, the owner or occupant of said property shall confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other private or public property or public right of way by way of a rhizome (underground stem) barrier, which shall:

- (1) be constructed of concrete, metal or plastic, such as high-density polypropylene, 40 mil or heavier, glued or taped at junctions, or clamped with stainless-steel clamps;

(2) be at least three feet deep and project at least one inch above ground level; and

(3) be slanted outward at the top so that when the stems hit the barrier they will bend upwards.

B. Rhizomes that arch or grow over the top of the barrier shall be cut off to prevent the spreading thereof. Failure to properly confine such bamboo in accordance with this section shall require its complete removal.

§ 281-37. Removal.

In the event it is determined that there is an encroachment or invasion on any adjoining private or public property or public right of way, the Borough shall notice the bamboo property owner in writing that the bamboo has invaded other private or public property or public right of way and demand the removal of the bamboo from such other private or public property or public right of way and the confinement against future encroachment or the total removal of the bamboo from the owner's property. Notice shall be provided by certified, return receipt requested mail and regular mail. If the bamboo property owner does not remove the bamboo from such other private or public property or public right of way within 45 days of the date of notice, the Code Enforcement Officer shall cause a citation to be issued with a penalty up to \$100.00 for each day the violation continues, enforceable through the Municipal Court of the Borough of Runnemede, as well as civil proceedings for injunctive or civil relief. Nothing herein shall be interpreted as limiting the rights of a private property owner to seek civil relief through a Court of proper jurisdiction, nor the institution of civil proceedings against the proper parties. When an encroachment is upon public property or public right of way, the Borough of Runnemede, at its discretion, may remove or contract for the removal of such bamboo from the Borough property or public right of way, the cost of which shall be the responsibility of the bamboo property owner and shall be assessed as a lien against the property on which the bamboo growth originated. The cost of removal from the Borough owned property and or public right of way shall include the installation of an appropriate barrier to prevent future bamboo invasion.

§ 281-38. Violations and penalties.

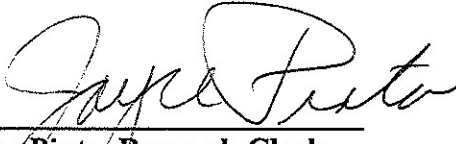
Except as otherwise provided in this section, any person, firm, corporation or other entity violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not less than \$500.00 but not more than \$2,000.00, in the discretion of the Judge before whom such conviction shall be entered.

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 95 and Chapter 281 shall not be effected by this Ordinance.

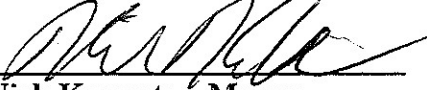
SECTION 3: All Ordinances, or parts of Ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.



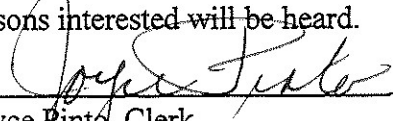
Joyce Pinto, Borough Clerk

BOROUGH OF RUNNEMEDE


Nick Kappatos, Mayor

NOTICE

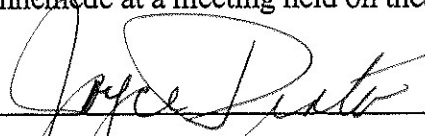
The above ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Runnemede held on the 8th day of November, 2023, and will be taken up for final consideration and passage at a meeting of the Borough Council of said Borough of Runnemede 24 N. Black Horse Pike, Runnemede, New Jersey on the 5th day of December, 2023, at which time and place all persons interested will be heard.



 Joyce Pinto, Clerk
 Upon First Reading

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of an ordinance, adopted by the Borough Council of the Borough of Runnemede at a meeting held on the 5th day of December, 2023.



 Joyce Pinto, Clerk
 Upon Final Passage

Passed on First Reading

Adopted on Second Reading

Name	Passed on First Reading				Adopted on Second Reading			
	Yes	No	Abstain	Absent	Yes	No	Abstain	Absent
Kelly	✓				✓			
Laubenstein	✓				✓			
Passio	✓							✓
Cepero	✓							✓
Farrell				✓	✓			
Ranieri	✓				✓			