

PUBLIC NOTICE is hereby given that the ordinance set forth below was introduced at a meeting of the Township Committee of the Township of Union in the County of Union, held on February 27, 2024 and that said ordinance will be further considered for final passage at a meeting of the Township Committee at the Municipal Building, 1976 Morris Avenue, Union, New Jersey on March 12, 2024 at 7:30 o'clock P.M., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning this ordinance. During the week prior to and up to the time for final passage, copies of said ordinance will be available in the Municipal Clerk's office, at no cost, in said Municipal Building, to the members of the general public who shall request a copy of same. This ordinance will also be posted outside the Municipal Clerk's office, as required by law.

EILEEN BIRCH
Township Clerk

AN ORDINANCE AMENDING CHAPTER 440-5C TO PROHIBIT THE PLANTING OF NEW BAMBOO AND RESTRICT THE SPREAD OF EXISTING BAMBOO, IN THE TOWNSHIP OF UNION, UNION COUNTY, NEW JERSEY.

WHEREAS, certain types of bamboo are invasive and often difficult to control, and can cause significant damage to property; and

WHEREAS, the Township Committee of the Township of Union ("Township") wishes to preserve and protect public places and private premises in the Township from the damaging spread of bamboo, to protect indigenous and other plant materials from the invasive spread of bamboo, and to maintain the general welfare of the residents of the Township.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE of the Township of Union, County of Union, State of New Jersey, that the Township Code of the Township of Union be amended as follows:

SECTION I – AMENDMENTS

Chapter 440-5C, entitled Standards, Definitions is amended and supplemented only to add a new associated subsections, as follows:

§ 440-5C (10) 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 running (monopodial) bamboo or clumping (sympodial) bamboo upon any property located within the Township. This prohibition shall include but is not limited to the following plant genera:

(a) Arundinaria, Bambusa, Chimonobambusa, Dendrocalamus, Fargesia, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella and Semiarundinaria.

(b) In the event any species commonly known as running bamboo or clumping bamboo is located upon any property within the Township, prior to the effective date of this section, the owner and occupant of said

property shall jointly and severally be required to confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other private premises or public place. This duty to confine shall not apply if the property owner and/or occupant can establish to the satisfaction of the Township that the bamboo which is on his/her property at the time of the adoption of this section originated on another property.

(c) The failure to properly confine existing bamboo pursuant to this section may require removal of the bamboo. The cost of any bamboo removal shall be at the expense of the owner of the property from which the bamboo originated.

SECTION II - RATIFICATION

Except as expressly modified herein, all other provisions and terms of the Code of the Township of Union shall remain in full force and effect.

SECTION III – 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 that 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 IV – REPEAL

This Ordinance is not meant to repeal any provisions of the Code or any other Ordinance other than those designated herein, and all ordinances or portions of ordinances which are inconsistent or in conflict with the provisions of this Ordinance are repealed only to the extent of such inconsistency or conflict.

SECTION V – EFFECTIVE DATE

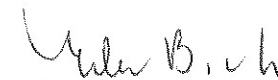
This ordinance shall take effect immediately upon passage and publication according to law.

PASSED AND APPROVED

March 12, 2024

ATTEST:

TOWNSHIP OF UNION IN THE
COUNTY OF UNION



Eileen Birch
Township Clerk

By: 
MANUEL FIGUEIREDO, Chairman
of the Township Committee

APPROVED AS TO FORM BY:
Daniel Antonelli, Township Attorney