

LEGAL NOTICE
ORDINANCE NO. 40
2014
TOWNSHIP OF WAYNE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 129 (PARKS AND RECREATION) OF
THE CODE OF THE TOWNSHIP OF WAYNE

BE IT ORDAINED by the Municipal Council of the Township of Wayne in the County of Passaic, State of New Jersey as follows:

SECTION 1. Chapter 129 (Parks and Recreation) of the Code of the Township of Wayne is hereby amended and supplemented to read as follows:

ARTICLE VII - NOXIOUS WEEDS AND PLANTS

Section 129-43. Purpose

The purpose of this Article is to protect and promote the public health, safety and welfare through the restriction of new planting of noxious weeds and plants.

Section 129-44. Definitions

Noxious weeds and plants are perennial weeds and plants, such as those not only reproduced by seed, but also spread by underground roots, stems and other reproductive parts, and which when well-established, are highly destructive and difficult to control, by ordinary good cultural practices. Examples include but are not limited to bamboo (spreading or running type), multi flora rose and kudzu-vine.

Section 129-45. Restriction on New Planting

New planting of bamboo, multi flora rose and kudzu-vine is prohibited within the Township. Any person that has planted noxious weeds and plants from the effective date of this Ordinance within their property shall remove or abate the same within fifteen (15) days from date of notice by the Department of Parks and Recreation. If removal is not possible within the 15-day timeframe, then the property owner shall request an extension in writing. Any extension of time is at the discretion of the Director of Parks and Recreation or his/her designee. Failure to remove noxious weeds and plants within such time shall be a violation of this Article.

Section 129-46. Inspections

All places and premises within the Township shall be subject to inspection by a representative of the Department of Parks and Recreation, upon a complaint made of a violation of this Article.

Section 129-47. Violations and Penalties

- A. Whenever a noxious weed or plant, as defined by this Article is found on any premises in the Township, a violation shall be given, in writing, to the owner of the property where the noxious weed or plant is located to remove or abate the same within the time specified in Section 129-45. The cost of abatement shall be borne by the property owner.
- B. If the property owner fails to comply with such notice, a complaint alleging a violation of this Article shall be filed with the Municipal Court and, upon conviction, the violator shall be subject to a fine of not less than \$100

and no more than \$1,000 for each day the violation continues.

SECTION 2. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect twenty (20) days after final passage and publication as prescribed by law.

ATTEST:

PAUL V. MARGIOTTA
TOWNSHIP CLERK

FRANCO MAZZEI
PRESIDENT OF THE COUNCIL

NOTICE

I hereby certify that the aforementioned ordinance was published in the Herald News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of September 24, 2014 and

PAUL V. MARGIOTTA
Township Clerk

This ordinance is hereby
approved this day
of 2014.

ADOPTED ON: October 1, 2014

CHRISTOPHER P. VERGANO, Mayor