

**TOWNSHIP OF MANALAPAN**

**ORDINANCE NO. 2023-17**

**AN ORDINANCE OF THE TOWNSHIP OF MANALAPAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 176, "PROPERTY MAINTENANCE", OF THE CODE OF THE TOWNSHIP OF MANALAPAN, PERTAINING TO THE MAINTENANCE OF RESIDENTIAL PROPERTIES AND THE CONTROL OF INVASIVE PLANTS.**

**BE IT ORDAINED** by the Township Committee of the Township of Manalapan, County of Monmouth and State of New Jersey as follows:

**SECTION ONE.** Chapter 176, "Property Maintenance", of the Code of the Township of Manalapan, be and the same is hereby amended and supplemented by the addition thereto of the following Article:

**"Article IV. Control of Invasive Plants**

**§ 176-32. Purpose.**

The purpose of this article is to protect and promote the public health through the control of the growth of invasive plant species.

**§ 176-33. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**INVASIVE PLANTS**

All native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious. These plants may damage trees, vegetation or structures. Examples include but are not limited to bamboo (spreading or running type), ragweed, multi flora rose and kudzu vine.

**§ 176-34. Control of Growth.**

All persons must control the growth of invasive plants. Failure to control the spread of such vegetation beyond the boundaries of an owner's property is a violation of this Article.

**§ 176-35. *Inspections.***

All places and premises in the Township of Manalapan shall be subject to inspection by the enforcing officer. Such inspection shall be made if that official has reason to believe that any section of this article is being violated.

**§ 176-36. *Violations and Penalties.***

- A. Whenever an invasive plant as defined by this article is found on any plot of land, lot or any other premises or place, a violation notice shall be given to the owner, in writing, to remove or abate the same within six (6) months of the date of notification.
- B. The cost of abatement shall be borne by the property owner.
- C. If the owner fails to comply with such notice within the time specified therein, the enforcing official may direct the removal or remove or otherwise control of the invasive plant species and the Township may thereafter recover the cost of such removal from the property owner by the placement of a lien on the property.
- D. Any person who violates or fails to comply with any provision of this article shall be subject to the following penalties:
  - (1) A fine of not more than \$2,000, provided that the minimum mandatory fine for a first offense under this article shall be \$500; the minimum mandatory penalty for a second offense under this article shall be \$1,000; and the minimum mandatory fine for a third or subsequent offense under this article shall be \$2,000; or
  - (2) Imprisonment for a term of not more than 90 days or community service for a period of not more than 90 days."

**SECTION TWO:** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION THREE:** If any section, paragraph, clause or other portion of this ordinance be adjudged invalid, such decision shall not affect or impair the remaining portion of this Ordinance.

**SECTION FOUR:** This Ordinance shall take effect upon its passage and publication according to law.

#### NOTICE OF PUBLIC HEARING

The Ordinance published herewith was introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on [August 9, 2023](#) and will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on [September 13, 2023](#) at the Municipal Complex, 120 Route 522 and Taylors Mill Road, Manalapan, New Jersey at 7:30 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site [www.mtnj.org](http://www.mtnj.org) by clicking on the Ordinance title listed on the Agenda posted for the Township Committee meeting of [September 13, 2023](#).

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SHARI ROSE, RMC  
Municipal Clerk