

**ORDINANCE 2016- 10 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN,  
AND STATE OF NEW JERSEY, AMENDING, REVISING, AND/OR  
SUPPLEMENTING CHAPTER 249 OF THE CODE OF THE TOWNSHIP OF BERLIN  
ENTITLED “PROPERTY MAINTENANCE”**

**WHEREAS**, Chapter 249 of the Code of the Township of Berlin, entitled “Property Maintenance,” regulates, in pertinent part, the maintenance of private property within the Township of Berlin; and

**WHEREAS**, the Governing Body has determined it necessary for the health, safety and welfare of the residents of the Township of Berlin to revise Chapter 249 regarding installation and maintenance of invasive plant species on private property; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 249, entitled “Property Maintenance,” entitled is hereby amended, revised and/or supplemented by deleting Section 249-2, entitled "Violations and Penalties," and by creating new articles and/or sections as follows:

**Chapter 249. Property Maintenance**

**Article I: International Property Maintenance Code**

§ 249-1 Adoption of standards; copies on file

**Article II: Junk, Waste and Equipment Storage**

§ 249-2 Purpose

§ 249-3 Definitions

§ 249-4 Unlawful acts

§ 249-5 Storage trailers

§ 249-6 Exemptions

**Article III: Invasive Plants**

§ 249-7 Purpose

§ 249-8 Definitions

§ 249-9 Control of growth

- § 249-10 Inspections
- § 249-11 Plantings of invasive plants prohibited

**Article IV: Administration and Enforcement**

- § 249-12 Administration and enforcement
- § 249-13 Right of entry
- § 249-14 Notice of violation
- § 249-15 Extension of time abatement
- § 249-16 Violations and Penalties

**SECTION 2:** Article III of Chapter 249, entitled “Property Maintenance,” shall read as follows:

**Article III: Invasive Plants**

**§ 249-7 Purpose.**

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

**§ 249-8 Definitions.**

As used in this chapter, 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, kudzu-vine and poison ivy or oak.

**§ 249-9 Control of growth.**

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

**§ 249-10 Plantings of invasive plants prohibited.**

All new in-ground plantings of invasive plants are strictly prohibited. All existing plantings must be contained by appropriate physical barriers to prevent the growth or spread of existing invasive species beyond the boundaries of a resident's property.

**§ 249-11 Inspections.**

All places and premises in the Township of Berlin shall be subject to inspection by the Property Maintenance Officer. Such inspection shall be made if that official has reason to believe that any section of this chapter is being violated.

**SECTION 3:** Chapter 249 of the Code of the Township of Winslow, entitled “Property Maintenance,” is hereby amended, revised and/or supplemented by renumbering the remaining Article and Section numbers as follows:

Current Article/Section Number

New Article/Section Number

ARTICLE I	[NO CHANGE]
§249-1	[NO CHANGE]
§249-2	DELETED
ARTICLE II	[NO CHANGE]
§249-3	§249-2
§249-4	§249-3
§249-5	§249-4
§249-6	§249-5
§249-7	§249-6
ARTICLE III (new)	
N/A (See Section 2 above)	§249-7
N/A (See Section 2 above)	§249-8
N/A (See Section 2 above)	§249-9
N/A (See Section 2 above)	§249-10
N/A (See Section 2 above)	§249-11
ARTICLE IV (new)	
§249-8	§249-12
§249-9	§249-13
§249-10	§249-14
§249-11	§249-15
§249-12	§249-16

**SECTION 4:** Except as set forth in Sections 1, 2 and 3 above, the balance of Chapter 249 shall not be affected by this Ordinance.

**SECTION 5:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6:** 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 7:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Notice is hereby given that the foregoing Ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Berlin, Camden County, New Jersey on May 9, 2016 and the same was ordered published pursuant to statute. Said ordinance will be further considered for final adoption at a meeting of the Mayor and Council of the Township of Berlin on June 13, 2016 at 5:30 p.m. at the Berlin Township Municipal Hall, 135 Route 73 South, West Berlin, NJ.

Catherine Underwood  
Township Clerk