ORDINANCE NO. O-07-24

AN ORDINANCE OF THE BOROUGH OF MONMOUTH BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CREATING A NEW SECTION 3-22 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MONMOUTH BEACH TO BE ENTITLED "CONTROL OF PLASTIC DUST AND CONTAMINANTS"

BE IT ORDAINED by the Board of Commissioners of the Borough of Monmouth Beach as follows:

Section 1.

Chapter III Section 3-22 formerly reserved shall now be entitled "Control of Plastic Dust and Contaminants" of the General Ordinances of the Borough of Monmouth Beach is hereby adopted with complete text as follows:

PREAMBLE

WHEREAS, the Borough of Monmouth Beach recognizes the importance of maintaining clean and safe worksites to protect the environment and public health; and

WHEREAS, it is imperative that contractors take measures to minimize the release of dust and plastic contaminants from their worksites, thereby preventing harm to the environment and the community; and

WHEREAS, the Borough of Monmouth Beach seeks to regulate construction practices to ensure compliance with environmentally responsible and safe procedures;

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Borough of Monmouth Beach as follows:

3-22 Control of Plastic Dust and Contaminants

3-22.1 : Definitions

For the purposes of this ordinance, the following definitions apply:

a) "Contractor" refers to any individual or entity engaged in construction, renovation, or related activities within the Borough of Monmouth Beach.

b) "Worksites" shall include all locations within the jurisdiction of the Borough of Monmouth Beach where construction, renovation, or related activities are taking place.

3-22.2 Dust, Trash and Plastic Contaminants Control

Contractors operating within the Borough of Monmouth Beach, in addition to other regulatory requirements, shall adhere to the following guidelines to control dust, trash, and plastic contaminants at their worksites:

a. When cutting or drilling AZEK, TREX, any fiberglass, plastic, poly-compound materials, plastics or wood, contractors shall use a vacuum attachment on all saws when practical to minimize the release of dust and micro plastic particles.

b. Contractors shall cut and drill in confined spaces to keep dust levels to a minimum and facilitate ease of cleanup.

c. Contractors shall not engage in cutting or drilling activities without placing a tarp under power tools to catch debris and contaminants.

d. Contractors shall tarp their work areas and clean the area a minimum of once a day to prevent the dispersion of dust and plastic contaminants.

e. Contractors shall clean up all wood and plastic contaminants before leaving their worksites, ensuring that no waste is left behind nor can be blown into neighboring properties or the street.

3-22.3 Prohibition on Storm Drain Disposal

a. Contractors are strictly prohibited from blowing debris, dust, or plastic contaminants into streets and/or storm drains. All contractors must dispose of waste materials properly in accordance with existing municipal waste disposal regulations.

b. Contractors must separate waste and recyclable materials, such as cardboard, and dispose of in accordance with Borough ordinances.

c. Contractors whose job site drains to a public stormwater inlet after stormwater leaves the property, prior to cutting, drilling, or any activity regulated by this Section 3-22, shall install a filter at that stormwater inlet Polypropylene Geotextile which conforms to ASTM Test D4491, D4751 and D4355.

3-22.4 Compliance and Enforcement

Any person who violates, fails or refused to comply with this chapter or any part or section thereof, shall, upon conviction in the Municipal Court be punished for each offense by a fine not to exceed $1,000.00 or by imprisonment for any term not exceeding 90 days, or both. Every such violation or refusal shall be deemed a separate violation, and each day that the same shall continue shall be deemed a separate violation.

3-22.5 Contractors are responsible for informing their employees and subcontractors of the requirements and obligations set forth in this ordinance.

Section 2.

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 3.

If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4.

This Ordinance shall take effect after final adoption and publication in accordance with law.

NOTICE

The foregoing Ordinance was introduced at a meeting of the Board of Commissioners of the Borough of Monmouth Beach held on May 28, 2024 and was read for the first time. This Ordinance will be further considered for final passage by the Board of Commissioners at a meeting to be held on June 18, 2024 at the Monmouth Beach Borough Hall, 22 Beach Road, Monmouth Beach, NJ at a meeting beginning at 7:00 p.m. or at any time and place to which such meeting may be adjourned. All persons interested will be given an opportunity to be heard concerning such Ordinance.

Joyce L. Escalante, RMC
Municipal Clerk