

CITY OF PLAINFIELD

MC 2017-28

AN ORDINANCE TO AMEND CHAPTER 9 LICENSES, PERMITS AND REGULATED ACTIVITIES; CREATING ARTICLE 17. REGISTRATION OF COMMERCIAL LANDSCAPING.

Deletions are placed in strikethrough.
Additions are made in bold and underlined.

WHEREAS, it is in the best interest of the City of Plainfield to create an ordinance to regulate commercial lawn maintenance businesses operating within the boundaries of the City of Plainfield;

WHEREAS, the City of Plainfield finds it necessary to require registration of commercial landscapers so as to ensure such businesses are complying with applicable law;

WHEREAS, it is necessary to establish such law to ensure that commercial landscapers deposit and/or dump leaves in the appropriate places and not upon City streets; and now, therefore

BE IT ENACTED, by the City Council of the City of Plainfield, that Chapter 9, Licenses, Permits and Regulated Activities of the Municipal Code of the City of Plainfield; is hereby amended to create Article 17. Registration of Commercial Landscaping, as follows:

ARTICLE 17 - REGISTRATION OF COMMERCIAL LANDSCAPING

Sec 9:17-1 Definitions.

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

COMMERCIAL LAWN MAINTENANCE BUSINESS - A business that performs lawn and yard maintenance where cutting of grass and removal of leaves is performed.

LEAF BLOWER MACHINE - A gas-powered device used for the blowing of leaves and grass in lawn maintenance work.

Section 9:17-2 Prohibitions.

In order to control harmful emissions, only leaf blower machines that meet the latest federal EPA "Standards for Small Spark Ignition Handheld Engines" shall be permitted.

Section 9:17-3. Registration of commercial lawn maintenance businesses.

Except for those landscapers registered with the State of New Jersey, pursuant to the Contractors' Registration Act, N.J.S.A. 56:8-136 et seq. and pursuant to New Jersey Administrative Code, § 13:45A-17.2, commercial lawn maintenance businesses shall register with the City Clerk, by February 1 of each year. Those landscapers registered with the State of New Jersey shall provide a copy of their state registration to the City Public Works Department on or before March 1 of each year.

Information to be provided at this registration will include name of business owner (owners of business), address of owner(s), telephone number(s) of owner(s), license plate of trucks used in business and type of leaf blowers, make, manufacturer, manufacture information, manufacturer's information concerning EPA handheld engine used in business.

A registration fee of \$50 per business and \$10 per truck used to haul leaves shall be charged.

Each registered truck shall be provided a sticker by the City, and this sticker shall be posted on the front driver's side panel of the truck.

Section 9:17-4. Emergencies.

In the event of a weather emergency or other emergent circumstances, the City Clerk, in consultation with the Director of Public Works and Urban Development, shall be permitted to modify the restrictions on leaf blowers or leaf collection.

Section 9:17-5. Enforcement.

This chapter shall be enforced by the City Police Division, Building Department, Health Department, Public Works Department or other City employee as designated by the City Administrator.

Section 9:17-6 Violations and penalties.

Any person found to be in violation of the provisions of this chapter shall be subject to a fine as follows:

First offense: \$100.

Second offense: \$200.

Any subsequent offense: an amount not to exceed \$500.

Each day a violation continues shall be deemed a separate offense.

BE IT, FURTHER ENACTED, by the Council of the City of Plainfield, that:

1. Severability. If any provision of this Ordinance shall be held invalid, or contrary to the law, then such provision of the Ordinance shall be deemed separable from the remaining provisions of this Ordinance and shall not affect the validity of the other provisions of the Ordinance.

2. Effective Date. This Ordinance shall take effect on January 1, 2018, as provided by law or on an override of a mayoral veto by the council, whichever is applicable in accordance with law, unless a resolution is adopted pursuant to N.J.S.A. 69A-181(b) declaring an emergency and providing that this ordinance shall take effect at an earlier date.

3. Publication. A notice of the action shall be published in the official newspaper authorized to publish legal notice for the City as required by law.

ADOPTED BY THE MUNICIPAL COUNCIL

September 11, 2017



Abubakar Jalloh, R.M.C.
Municipal Clerk

CLERK'S CERTIFICATION

I, Abubakar Jalloh, City Clerk of the City of Plainfield do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Plainfield City Council.

Abubakar Jalloh, R.M.C.
Municipal Clerk

✓ Vote Record - Ordinance MC 2017-28						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Repealed <input type="checkbox"/> Failed <input type="checkbox"/> Vetoed <input type="checkbox"/> Consensus						
			Yes/Aye	No/Nay	Abstain	Absent