

BOROUGH OF LONGPORT

COUNTY OF ATLANTIC

ORDINANCE 2023-20

AN ORDINANCE AMENDING PART I I CHAPTERS 111-20.1 AND 111-28

Borough of Longport Code Provision Chapters §111-20 and §111-28 are hereby amended as follows:

§ 111-20.1 Commercial landscapers.

[Added 3-19-1997 by Ord. No. 97-09]

A. Definitions. As used in this article, the following terms shall have the meaning indicated:

COMMERCIAL LANDSCAPER

A person or entity whose business involves the placing, planting, arranging, trimming, cutting and removing of trees and the maintenance of lawns, trees, bushes, shrubs, gardens and related appurtenances on land or property for any purpose.

VEHICLE Every device in, upon or by which a person or property is or may be transported upon a highway.

B. Permit application information. The application for a permit to operate or conduct business as a commercial landscaper in the Borough of Longport shall be made in writing, signed by the applicant and submitted to the Borough Construction Code Department. The application shall include the following information:

- (1)** The name, address and telephone number of the applicant.
- (2)** The character and type of substance, e.g., grass clipping, brush, twigs or leaves that the applicant will be dumping in his or her operation.
- (3)** The location where the debris is to be taken and the name and telephone number of the company or organization to receive such debris.

C. Operating requirements. Every commercial landscaper operating within the Borough of Longport shall be required to comply with the following:

- (1)** The name of the landscaping company shall be clearly indicated on both sides of any vehicle used in said operation, shall be no less than three inches in height and shall include the address and telephone number.
- (2)** Tags identifying that vehicles have been properly registered must be displayed on each vehicle.
- (3)** The use of backpack blowers used for the purposes of spreading and blowing about grass, leaves and other debris shall be prohibited. The use of hand-held grass blowers and leaf blowers shall be permitted, subject to compliance with the following conditions:
 - (a)** All sidewalk clippings shall be dispersed back onto the homeowner's lawn.
 - (b)** All gutters shall be swept and shoveled.

- (c) Hand-held blowers shall not be used in gutters or streets.
- (d) Storm drains shall be covered while working in the immediate vicinity.
- (e) All leaves, twigs and clippings must be properly bagged and taken to the Atlantic County Municipal Utilities Authority plant for processing, or otherwise legally disposed of in accordance with state and local laws and other applicable regulations

(4) All vehicles used in landscaping operations shall be required to utilize a cover on said vehicles to prevent any clipping, leaves, twigs or other debris from blowing out of the vehicle when traveling in the streets of the Borough of Longport.

(5) Commercial landscapers shall not place clippings, twigs or leaves at the curb. This material must be properly removed by the commercial landscaper.

~~(6) Commercial landscapers shall be permitted to engage in the landscaping business during the hours of 8:00 a.m. to 7:00 p.m. Monday through Friday; and 9:00 a.m. to 4:00 p.m. on Saturdays. No work shall be permitted on Sundays except as otherwise directed by the Police Department.~~

(1) [Year-round rule: Commercial Landscaping shall be permitted Monday through Friday throughout the year between the hours of 8:00 a.m. and 6:00 p.m. No landscaping shall be permitted on Sundays or the following holidays: New Year's Day; Memorial Day weekend (Saturday, Sunday and Monday); July 4 (If July 4 falls on a Monday or Friday, then Saturday is also a prohibited day. If July 4 falls on a weekend then no landscaping shall be permitted on the day of observance whether the Friday before or Monday after the weekend); Labor Day weekend (Saturday, Sunday and Monday); Thanksgiving Day; Christmas Day.

(2) Summer Saturday Rule: Saturday landscaping shall be permitted during the period June 15 to September 15, between the hours of 9:00 a.m. and 4:00 p.m.

(3) Winter Saturday rule: Saturday landscaping shall be permitted during the period September 16 to June 14 between the hours of 8:30 a.m. and 4:30 p.m.,

(4) Emergency exception: in the case of urgent necessity in the interest of public health and safety, and then only with a permit from the Construction Code Official, which permit may be granted for a period not to exceed three days while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues or except as otherwise directed by the Police Department.]

(5) The use of lawnmowers, chainsaws and grass blowers powered by internal combustion engines other than during the prescribed hours shall constitute a violation of this article.

§ 111-28 **Violations and penalties.**

Any person violating any provision of this article shall, upon conviction in the Municipal Court of the Borough of Longport, be subject to a fine not to exceed ~~\$200~~ [\$1000.00] or imprisonment in the county jail for any term not to exceed 90 days, or both, in the discretion of the Municipal ~~Magistrate~~ [Judge] hearing the same.

Vote on First Reading: 7/19/2023

publication: 7/27/2023

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo			X			
Leeds	X		X			
Lawler		X	X			
XX-indicates vote NV-not voting AB. - Absent						

Vote on Second Reading/Public Hearing: 8/16/2023

publication: 8/26/2023

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo						X
Leeds		X	X			
Lawler	X		X			
X-indicates vote NV-not voting AB. - Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

/s/

MONICA A. KYLE, RMC, CMR

MUNICIPAL CLERK

Monica A. Kyle

Nicholas M. Russo/Mayor

James P. Leeds, Sr/Commissioner

Daniel Lawler/ Commissioner