



**BOROUGH OF FLORHAM PARK  
ORDINANCE #19-18**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 188, PROPERTY MAINTENANCE CODE OF THE BOROUGH OF FLORHAM PARK, SECTION 188-23 B.(8) GOVERNING MAINTENANCE OF RESIDENTIAL AND NON-RESIDENTIAL PROPERTY AND THE MAINTENANCE AND SECURITY OF SITES UNDER CONSTRUCTION**

**WHEREAS**, the Borough Council, for the health, safety and welfare of its neighborhoods and communities, has enacted a property maintenance code to prevent deterioration and blight of buildings and neighborhoods by establishing minimum standards governing the maintenance, appearance, condition and occupancy of residential and non-residential premises and related open lands; and

**WHEREAS**, the Borough Council has also considered the impact of lack of maintenance and security of residential and non-residential sites under construction, which can create unsanitary conditions, attract rodents, and lead to unsafe property conditions for residents and construction workers;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Florham Park, County of Morris and State of New Jersey as follows:

SECTION 1. Purpose.

The purpose of this Ordinance is to supplement and amend Chapter 188 of the Borough of Florham Park's Property Maintenance Code, subsection 23 B.(8) to add subsection (8)(d) to provide for the security and maintenance of active and inactive, residential and non-residential construction sites.

SECTION 2. Chapter 188-23 B. (8) is hereby supplemented and amended to add sub-section 8(d) (1-4), which shall read as follows:

(d) Specific requirements

1. Inactive construction sites shall comply with the requirement of the Property Maintenance Code, specifically section 188-23.
  - A) All construction sites (i.e. large additions, new homes, in-ground pools, home demolitions and large excavations) shall be enclosed by 6' temporary fence as directed by the Construction Official.
  - B) Temporary construction fences shall not be removed until inspected and directed by the Construction Official.
  - C) Construction activities shall progress in a reasonable manner not extending beyond the parameters as set forth in the U.C.C. If, for any reason, construction activities cease more than 6 months, the Construction Official may revoke the permit under U.C.C. guidelines.
2. No construction site shall be used for the staging or storage of construction equipment, commercially registered vehicles, heavy equipment, storage containers, trailers, materials, dirt or debris, except:

- A) Trailers, heavy equipment, construction equipment, and storage containers directly and actively used in furtherance of the construction activities occurring on a particular construction site may remain at the site for no more than 10 days after the completion of such activities.
- B) One commercially registered vehicle not exceeding a manufacturer's gross vehicle weight of 10,000 pounds shall be permitted to be stored, parked or remain overnight on the exterior premises of any construction site within a residential zone.
- C) Top soil and fill necessary for backfill and final grade and non-hazardous materials, dirt and debris resulting from or used for the construction activities occurring on the site may remain at the site until needed, provided that to the fullest extent possible that the same shall be properly stored and organized so as not to pose a danger to the public or be kept in an unsightly condition.

### 3. Temporary Portable Toilets

- A) Portable toilets are required on all job sites without a permanent toilet.
- B) Portable toilets shall be placed within the temporary fencing when possible.
- C) When temporary fencing is removed or not present, portable toilets shall be placed as close to home or project as possible.
- D) At no time shall portable toilets be placed at or on the curb of the property.
- E) All portable toilets shall be cleaned and sanitized at least once a week.
- F) regular cleaning as necessary to support specific job sites.
- G) Portable toilets shall be removed within 5 days of the issuance of a Certificate of Occupancy or approval.

#### 4. Dumpsters and Garbage Containers

- A) All dumpsters and garbage containers shall be placed within the confines of the temporary construction fence.
- B) All dumpsters and garbage containers shall be emptied within 2 days of capacity.
- C) All dumpsters and garbage containers shall be maintained along with areas surrounding such.

#### SECTION 3.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

#### SECTION 4.

Should any section, paragraph, clause or any other portion of this ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this ordinance.

#### SECTION 5.

This ordinance shall take effect upon final passage and publication according to law.

#### SECTION 6.

When this ordinance becomes effective a copy thereof properly certified by the Borough Clerk shall be made available.

#### SECTION 7.

I hereby certify this to be a true and correct Ordinance of the Mayor and Council of the Borough of Florham Park adopted on November 21,

2019

INTRODUCED: November 21, 2019

ADOPTED:

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Mark Taylor, Mayor

ATTEST:

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Sheila Williams, Borough Clerk