

ORDINANCE NO. 2017-10

ORDINANCE OF THE BOROUGH OF BELMAR AMENDING THE REVISED GENERAL ORDINANCE CHAPTER 40: "DEVELOPMENT REGULATIONS" TO ADD SECTION 40-7.33 "ARTIFICIAL TURF"

BE IT ORDAINED by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 40 of the Borough's Revised General Ordinances is hereby amended to include the following new Section 40-7.33: Artificial Turf:

40-7.33 ARTIFICIAL TURF.

- (a) **Locations Prohibited.** The installation of artificial turf is prohibited in the Central Business Districts (CBD-1 and CBD-2), Beachfront Commercial District (B-C), Marine Commercial Districts (MC-1 and MC-2), Public Use Overlay District (PB), Professional Office District (PO-75), and the Planned Residential Development (Age 55 and Older) District (PRD), except as may be allowed for designated sports fields on public property upon approval by the Borough's Governing Body.
- (b) **Locations Permitted.** The installation of artificial turf is permitted on all properties containing single-family detached or single-family attached dwellings in the Single-Family Residential Districts (R), except that the installation of artificial turf is prohibited in any front yard in the Single-Family Residential Districts (R) and the installation of artificial turf is prohibited in any side yard that is visible from the public right-of-way or street in the Single-Family Residential Districts (R). The installation of artificial turf is permitted only in the rear yards and side yards that are not visible from the public right-of-way or street in the Single-Family Residential Districts (R), except as may be allowed for designated sports fields on public property upon approval by the Borough's Governing Body.
- (c) **Installation, Maintenance, and Replacement.** The installation of artificial turf, as may be permitted under Section 40-7.33(b) hereof, shall be governed by the following standards:

 - (1) **Materials.**

 - (A) Artificial turf shall be of a type known as cut pile infill and shall be manufactured from polypropylene, polyethylene, or a blend of polypropylene and polyethylene fibers stitched onto a polypropylene or polyurethane meshed or hole-punched backing.

(B) Hole-punched backings shall have holes spaced in a uniform grid pattern with spacing not to exceeding four inches by six inches on center.

(C) The use of indoor or outdoor carpeting in lieu of artificial turf, mulch, or other plant material is not permitted.

(2) **Buffering.** There shall be a buffer of a minimum of one foot between the edge of the artificial turf and any impervious surface. This buffer shall be living organic landscape, planted with any combination of live trees, shrubs, vines, groundcover, perennial or annual flowers, natural grass sod, and/or natural native grasses.

(3) **Installation.**

(A) Sod or existing groundcover shall be removed prior to installation of any artificial turf.

(B) Artificial turf shall be installed over a compacted and porous road base material that is a minimum of two inches deep.

(C) Artificial turf shall be anchored at all edges and seams.

(D) All artificial turf seams shall be glued and not sewn.

(E) An infill medium consisting of clean washed sand and/or ground rubber, or other approved mixture shall be brushed into the fibers to ensure that the fibers remain in an upright position and to provide ballast that will help hold the turf in place and provide a cushioning effect.

(4) **Slope Restrictions.** Artificial turf shall not be installed on slopes greater than six percent.

(5) **General Appearance.** Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn. The Borough shall maintain and make available for public inspection a list of various artificial turf products that meet this standard of appearance.

(A) Artificial turf products shall have a minimum eight-year warranty against fading; and

(B) Artificial turf must be a green color, similar to natural grass.

(6) **Maintenance.** General property maintenance requirements are specified in Chapter 26 of the Borough Code. In addition, the following maintenance activities are required for artificial turf:

- (A) Cleaning, sanitizing, brushing, and removal of debris, which shall be done with all biodegradable products.
- (B) Hand raking of worn turf areas on an as-needed basis.
- (C) Repairing of depressions to maintain an even visual surface.
- (D) Brushing back any loose infill that has been washed or moved off the turf.
- (E) Regular maintenance to eliminate any odors, flat or matted areas, weeds, looseness at edges, seams, or elsewhere.
- (F) Replacement of the artificial turf when maintenance or repair is unable to simulate a healthy living turf.

(d) **Existing Installations.** All installations of artificial turf on properties within the Borough existing as of the effective date of this Ordinance shall not be subject to the regulations contained in Subsections (a); (b); (c)(2); (c)(3); and (c)(4) hereof, but shall be subject to the regulations contained in Subsections (c)(1); (c)(5); and (c)(6) hereof.

(e) **Permitting.** A permit shall be required prior to the installation of new artificial turf and prior to the replacement of existing artificial turf on any property in the Borough subsequent to the effective date of this Ordinance.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

BE IT FURTHER ORDAINED that this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.