

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

ORDINANCE #12-2023

AN ORDINANCE OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 155, PROPERTY MAINTENANCE, OF THE BOROUGH CODE TO ADD REQUIREMENTS FOR BACKYARD WEED CONTROL AND SCREENING OF STORED ITEMS

WHEREAS, Chapter 155 of the Borough of Mendham Code establishes property maintenance standards in the Borough; and

WHEREAS, having reviewed the property maintenance standards, the Borough desires to require that certain items stored in rear yards be fully screened so that such items cannot be seen from adjacent properties; and

WHEREAS, the Borough also desires to extend the front- and side-yard 10” limit on weed height to rear yard areas; and

WHEREAS, the Mayor and Council of the Borough of Mendham have determined that it is in the best interest of the Borough to amend the Borough Code to include these requirements.

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

SECTION 1. Chapter 155, Property Maintenance, § 155-4, Maintenance of Property, paragraph I, site vegetation, subparagraph (2), Weeds, of the Borough Code is hereby amended to read as follows:

- (2) Weeds. All premises and exterior property shall be maintained free from weeds in excess of 10 inches from the front of the structure to the edge of the street/curb and side yard setback areas, and in rear yard setback areas, as determined in the Zoning Code.[1] Weeds shall include ragweed and poison ivy, and noxious weeds and grasses as designated by a federal, State, County, or local government as injurious to public health, agriculture, recreation, wildlife or property. No accumulation of brush, dead weeds, grass or vegetation is allowed, except in the rear yards, or to be composted or otherwise properly and timely disposed of.

[1] Editor's Note: See Ch. 215, Zoning.

SECTION 2. Chapter 155, Property Maintenance, § 155-5, Standards for residential property, is hereby amended to read as follows:

A. Outdoor storage and parking on residential property.

- (1) All vehicles, boats and trailers kept on a residential lot shall be maintained in good working order and shall be licensed with the proper authority, if so required. No unlicensed vehicle or vessel shall be parked within the front yard areas of any residential lot.
- (2) Notwithstanding Subsection A(1) above, an unlicensed vehicle, boat or trailer may be stored on a residential lot for a period not to exceed three months, so long as it is in adequate running condition and provided that it is not visible from any public street or walkway.
- (3) No inoperable vehicle, construction or heavy equipment, boat or trailer, part thereof or other machinery or parts shall be stored outdoors upon any residential lot.
- (4) Notwithstanding Subsection A(1) above, a temporary portable containerized property storage unit (PCPSU) may be stored on a residential lot for a period not to exceed 30 days or as extended in accordance with § 215-7, of the Code of Ordinances.
- (5) Useful items must be stored within a fully enclosed structure (such as a home, garage or shed) or screened from view from any roadway and/or adjacent property by a wall or fence within the rear yard area.
 - [1] Items exempt from the screening requirement are as follows: garbage and recycling cans for household use, firewood, barbecue grills, bicycles, children's toys, garden hoses and sprinklers and lawn ornaments.
 - [2] Storage of useful items shall not occupy more than 20% of the area of the rear yard.
 - [3] Items must be stored in such a manner as to discourage harborage of rodents, insects and pests.

B. Additional restrictions. All outdoor storage and on-site parking shall be in accordance with the requirements of § 215-7 of the Zoning Ordinance of the Borough of Mendham.

SECTION 3. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

INTRODUCED: October 23, 2023

ADOPTED:

EFFECTIVE DATE:

BOROUGH OF MENDHAM,
COUNTY OF MORRIS,
STATE OF NEW JERSEY

ATTEST

BOROUGH OF MENDHAM

Lauren McBride
Acting Borough Clerk

Christine Serrano Glassner, Mayor