



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 12/13/21 06:30 PM

2021 ORDINANCE AMENDMENT

**AN ORDINANCE TO AMEND CHAPTER 640, "NUISANCES PUBLIC HEALTH",
WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD**

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

Section 1. Chapter 640 "Nuisances, Public Health ", § 640-2 "Enumeration of nuisances; prohibition" of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended as following:

§ 640-2 Enumeration of nuisances; prohibition.

A. The following matters, things, conditions or acts and each of them are hereby declared to be a nuisance and injurious to the health of the inhabitants of this municipality:

(1) Any matter, thing, condition or act which is or may become detrimental or a menace to the health of the inhabitants of this municipality.

(2) Any matter, thing, condition or act which is or may become an annoyance or interfere with the comfort or general well-being of the inhabitants of this municipality.

(3) Pollution or the existence of a condition or conditions which cause or threaten pollution or any waterway in this municipality in such manner as to cause or threaten injury to any of the inhabitants of this municipality either in their health, comfort or property.

(4) The escape into the open air from any stack, vent or chimney or any entrance to the open air or from any fire into the open air of such quantities of smoke, dust, fumes, vapors, mists or gases as to cause injury, detriment or annoyance to the inhabitants of this municipality or endanger their comfort, repose, health or safety.

(5) The growth, existence or presence of ragweed on any plot of land, lot, highway, right-of-way or any other public or private place.

(6) The growth, existence or presence of poison ivy on any property.

(7) The existence or presence of any water or other liquid in which mosquito larvae breed or exist.

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(8) The existence or presence of any accumulation of garbage, refuse, manure or animal or vegetable matter which may attract flies and to which flies may have access or in which fly larvae or pupae breed or exist.

(9) Depositing, accumulating or maintaining any matter or thing which serves as food for insects or rodents and to which they may have access or which serves or constitutes a breeding place or harborage for insects or rodents in or on any land, premises, building or other place.

(10) Recreational fires

A. Legislative findings; policy; application.

(1) Recreational fires and burning of combustible materials in a residential setting may pose a serious hazard to public health, safety, general welfare and the quality of life of the residents of the Township of Bloomfield. The public has a right to and should be ensured of an environment free from noxious fumes and threat of fire. It is the policy of the Township of Bloomfield Fire Department to prevent the danger of fire from open burning which is a detriment to the public health, comfort, safety, welfare and quality of life.

(2) It is in the public interest that the provisions, prohibitions and controls hereinafter contained and enacted as a matter of legislative determination and public policy be adopted for the purpose of securing and promoting the public health, comfort, safety, and general welfare and quality of life of the residents of the Township of Bloomfield.

B. Definitions. For the purpose of this section, the following definitions shall apply:

CHIMINEA, OUTDOOR FIREPLACE, OUTDOOR FIRE PIT

As defined by manufacturers, approved containers for open burning.

FIREWOOD

Trunks and branches of trees and bushes, but does not include leaves, needles, vines, or brush smaller than two inches in diameter. Includes commercially manufactured, UL-approved fire logs.

RECREATIONAL FIRE

An outdoor fire contained in an approved UL container for entertainment.

TREATED LUMBER

Dry wood which was milled and dried and has been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

UNTREATED LUMBER

Dry wood which has been milled and dried but which has not been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or any other substance.

C. Recreational fire regulations.

(1) Recreational fires in approved containers shall be allowed without permit and will be

(2) Fires shall be limited to a maximum three-foot diameter and two-foot height and must be contained in a noncombustible chiminea, outdoor fireplace, fire pit or other UL-compliant device approved for such purpose.

(3) All openings in the container or fire pit must be covered with wire mesh or other screening materials that will prevent the passage of sparks or embers.

(4) Fires must be kept in the rear yard at least 15 feet from any structure or combustible exterior wall.

(5) Fires must be constantly attended until the fire is extinguished.

(6) No such fire or container used for open burning may be used on any porch, deck, balcony, or any other portion of a building; within any room or space; or under any building overhang.

(7) The burning of yard waste, leaves, brush, vines, evergreen needles, branches smaller than two inches in diameter, treated or untreated lumber, garbage, paper products or anything other than firewood as defined herein is prohibited, except that kindling may be used to start a fire.

(8) The Fire Chief or his designee or Health Officer or designee may order any open fire, or use of chiminea, outdoor fireplace or fire pit, which unreasonably interferes with the health, safety or welfare of neighboring residents or properties, to be immediately extinguished.

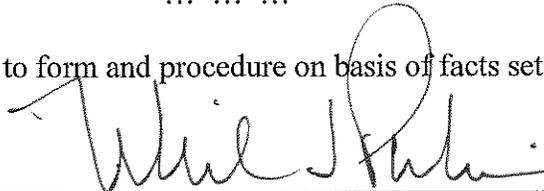
D. Enforcement.

(1) This section shall be administered by any code enforcement department within the Township of Bloomfield.

(2) Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine not to exceed \$1,250. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

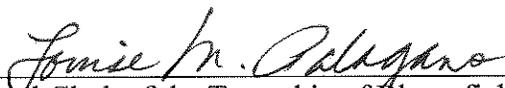
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on December 13, 2021 .



Municipal Clerk of the Township of Bloomfield

me [signature]

 Mayor of the Township of Bloomfield

| ✓ Vote Record - Ordinance | | | | | | |
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| | Nicholas Joanow | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| ✓ Vote Record - Ordinance | | | | | | |
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