

**TOWNSHIP OF MORRIS  
MORRIS COUNTY – NEW JERSEY  
ORDINANCE NO. 12-26**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS REPEALING AND REPLACING ARTICLE IV (SECTIONS 385-15 THROUGH 385-21) OF THE CODE OF THE TOWNSHIP OF MORRIS

WHEREAS, the Township Committee of the Township of Morris (the “Township”) determined that it is in the best interests of the Township to repeal and replace Sections 385-15 through 385-21 of the Township’s Code;

WHEREAS, the Township Committee of the Township of Morris desires to repeal and replace Sections 385-15 through 385-21 of the Code of the Township of Morris;

NOW, THEREFORE, BE IT ORDAINED, by the Township of Morris of the County of Morris and State of New Jersey as follows:

SECTION 1. Sections 385-15 through 385-21 of the Township Code are hereby repealed in their entirety.

SECTION 2. Sections 385-15 through 385-21 of the Township Code are hereby replaced and amended as follows:

**Section 385-15 Purpose.**

The purpose of this article is to preserve and protect public and private property within the Township of Morris from the damaging spread of bamboo by prohibiting the planting, growing, maintaining or cultivation of bamboo within the Township.

The planting and uncontrolled growth of bamboo is known to threaten other vegetation and endanger existing ecosystems, and is disruptive to the general health and welfare of a community.

**Section 385-16 Definitions.**

The following definitions apply to this article:

“**Bamboo**” means the plant species commonly known as bamboo and shall include both running (monopodial) bamboo and clumping (sympodial) bamboo.

“**Person**” means any natural person, firm, corporation, partnership, limited liability company, or other organization or group.

**Section 385-17 Planting, growth and cultivation of bamboo prohibited.**

No owner, tenant, occupant or other person in possession or control of real property shall plant, grow, ~~maintain~~ or cultivate, or cause to plant, grow, ~~maintain~~ or cultivate, bamboo upon any property located within the Township of Morris, unless:

- a. The root system of such bamboo plants is entirely contained within an above-ground-level planter, barrel or other container of such design, material and location so as to entirely prevent the spread or growth of the bamboo plants' root system beyond the container in which it is planted; and

- b. The bamboo plants contained as described herein shall be located, trimmed and maintained so that no part of any plant shall be closer than 15 feet from any property line or right-of-way.

**~~Section 385-18 Exemption.~~**

~~This article shall not apply to any owner, tenant, occupant or other person in possession or control of real property, who, prior to the effective date of this article, has planted or caused to grow bamboo on any property within the Township of Morris.~~

**Section 385-18 [Intentionally Omitted].**

**Section 385-19 Compliance.**

Whenever a complaint is received by the Township of Morris regarding the encroachment of any bamboo plant or root, or whenever the Township of Morris Health Officer or Code Enforcement Officer determines that there is an encroachment of bamboo plants or roots onto the property of another or any public property, the Health Officer or Code Enforcement Officer shall forward a written notice of violation to the alleged offending property owner, tenant, occupant or other possessor (hereinafter, the "violator") which notice shall be substantially as follows:

- a. The notice required to be given under this article shall be mailed by the Township Health Officer, Code Enforcement Officer, Zoning Officer or other officer designated by the Township to said owner or tenant by certified mail, return receipt requested, addressed to his or her last known address or, if unknown, in the case of an owner, to his or her address as the same appears on the tax records of the municipality, or in the case of a tenant, to the property address. Notice may be served by hand delivery, as long as service is witnessed.
- b. The notice of violation shall specify the exact nature of the violation.
- c. The notice shall state that the violation must be cured within 120 days from the date of the received or returned mailing.
- d. The notice must state specifically what must be done by the violator to cure the violation.
- e. Every such notice shall, in addition to requiring compliance with this article, warn the owner or tenant that failure to effect such removal within the time stated in said notice may result in, at the Township's sole discretion, such removal by the Township, and the cost of such removal will be charged to the owner or tenant. In the event that service of notice is made upon the owner or tenant, the cost of such removal shall forthwith become a lien upon the lands and shall be added to and become a part of the taxes next to be assessed and levied upon the same, to bear interest at the same rate and to be collected in the same manner as taxes, as hereinafter provided.
- f. This Section shall apply to all current and future bamboo in the Township and shall have retroactive effect.

**Section 385-20 Costs to become lien.**

In all cases where bamboo is removed from any lands under this article by or under the direction of the Township Health Officer or Code Enforcement Officer, to effect such removal, such officer shall certify the cost thereof to the Township Committee, who shall examine the

certificate and, if found correct, shall cause the cost as shown thereon to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rates as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes. The above costs of removal shall be additional to any other penalties which may be imposed under this article.

**Section 385-21 Violations and penalties.**

Any person convicted of a violation of any provision of this article or any supplement thereto may, in the discretion of the court by which such person was convicted, for each offense, be punishable by a fine not exceeding \$500 or imprisonment in the Morris County Jail for a term not exceeding 90 days, or both. Each day during which a violation of this article continues shall be deemed a new and separate offense.

**SECTION 3.** Except as hereby amended or repealed, the Code of the Township of Morris shall remain in full force and effect.

**SECTION 4.** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 5.** All provisions of the Code, ordinances, or parts of ordinances or resolutions inconsistent with the provisions of this Ordinance are hereby repealed in their entirety.

**SECTION 6.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

The foregoing is a true copy of an ordinance introduced on first reading by the governing body of the Township of Morris on February 18, 2026

ATTEST:

**TOWNSHIP OF MORRIS**

\_\_\_\_\_  
Suzanne Walsh, Township Clerk

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Donna J. Guariglia, Mayor

INTRODUCTION: 2/18/2026  
ADOPTION: