

**Borough of Norwood**

**Ordinance No. 16:06**

**An Ordinance to Amend Chapter 148 to the Code of the  
Borough of Norwood to Regulating Landscapers**

**WHEREAS**, this ordinance's purpose is to amend the Code of the Borough of Norwood provisions requiring landscapers to register with the Borough, to advance the health, safety, and welfare of the residents and businesses in the Borough.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Norwood as follows:

**Section 1:** Section 148-2 in Chapter 148 titled "**Landscapers**" in the Code of the Borough of Norwood is amended to include the following definitions:

"Act" means the New Jersey Contractors' Registration Act, N.J.S.A. 56:8-136 et seq.

LANDSCAPERS and LANDSCAPE CONTRACTOR means any individual person, partnership, firm, association, business, or legal entity regularly doing business with customers to provide the following services as a commercial undertaking for consideration: mowing of grass or lawns; trimming or cutting of trees, bushes, or shrubbery; restoration, or installation of lawns, grass, foliage, leaves, or trees from a given property; any and all services relating to the placing, installation, care, or cultivation of lawns, shrubbery, trees, foliage or other plant life, installation of sprinkler systems, but excluding the tree care services as defined by Chapter 220 of this Code.

"Person" means any individual, sole proprietor, corporation, partnership, limited liability company, or any other business.

**Section 2:** Section 148-3 is amended to state:

**§148-3. Application for Registration.**

- A. All applications for registration will be in writing on forms furnished by the Borough Clerk, signed by the applicant or the authorized agent of the applicant, and presented to the Borough Clerk. The application will state the applicant's name, the business name and address, telephone number and email addresses, and other information the Borough Clerk deems necessary for registration, including proof of any current registration of the applicant under the Act and proof of liability insurance covering the work to be provided, as required by the Act.
- B. If the applicant presents proof that it is registered under the Act, and has the required liability insurance, then the Borough Clerk will issue a registration certificate permit with a copy of the Borough's ordinances relating to landscapers without the payment of the registration fee.
- C. If the applicant is not registered with the State under the Act to perform landscaper services, then the applicant will provide any other information requested by the Borough Clerk that is necessary to confirm that the applicant is qualified to perform these services and has adequate liability insurance covering the work to be performed. The Borough Clerk will, after appropriate investigation, present the application to the Mayor and Council, which may or grant or refuse the application. If the application is approved, the Mayor and Council will authorize and direct the Borough Clerk to issue the registration provided that the applicant has paid the fee as hereinafter provided.
- D. All registrations expire on December 31 of each year.
- E. Property owners are not required to register to provide landscaper services on their own property in the Borough.

**Section 3:** Section 148-5(G) is amended to state:

- G. The permit issued pursuant to this Chapter, or a photocopy of the permit signed by the permit holder, must be in the actual possession of the person performing landscaper services.

**Section 4:** Section 148-7 is amended to state:

**§148-7. Violations and Penalties.** Any person convicted of violating the terms of this Chapter will be subject to the penalties set forth in Chapter 174 of this Code.

**Section 5:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

**Section 6:** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.


**Section 7:** This ordinance will take effect upon final approval and publication, according to law.

**Introduced and passed first reading:** April 13, 2016

**Passed second reading:** May 11, 2016

ATTEST:

APPROVED BY:

  
Lorraine L. McMackin, Borough Clerk

  
James P. Barsa, Mayor

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