

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 2025-27

**ORDINANCE CREATING NEW CHAPTER 303: "CONSTRUCTION DUST CONTROL"
TO REQUIRE CONTAINMENT OF CONSTRUCTION DUST AND MICROPLASTICS**

BE IT ORDAINED by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that the Borough's Revised General Ordinances are hereby supplemented with *new* Chapter 303: "Construction Dust Control" as follows:

CHAPTER 303: "CONSTRUCTION DUST CONTROL"

§ 303-1 Dust, Trash, and Plastic Contaminants Control.

In addition to other regulations, whether contained in the Borough Code or otherwise, any party undertaking construction activities within the Borough shall adhere to the following guidelines to control dust, trash, and plastic contaminants at their worksites:

- A. When cutting or drilling AZEK, TREX, any fiberglass, plastic, poly-compound materials, plastics or wood, use a vacuum attachment on all saws when practical to minimize the release of dust and microplastic particles;
- B. Cut and drill in confined spaces to keep dust levels to a minimum and facilitate ease of cleanup;
- C. Do not engage in cutting or drilling activities without placing a tarp under power tools to catch debris and contaminants;
- D. Tarp work areas and clean the area a minimum of once a day to prevent the dispersion of dust and plastic contaminants; and
- E. Clean up all wood and plastic contaminants before leaving their worksites, ensuring that no waste is left behind nor can be blown into neighboring properties or the street.

§ 303-2 Prohibition on Storm Drain Disposal.

- A. Blowing debris, dust, or plastic contaminants into streets and/or storm drains is strictly prohibited. Waste materials must be disposed of properly in accordance with existing municipal waste disposal regulations.
- B. Waste and recyclable materials, such as cardboard, and must be separated and disposed of in accordance with Borough ordinances.
- C. Where any site drains to a public stormwater inlet after stormwater leaves the property, prior to cutting, drilling, or engaging in any other activity regulated by this Chapter the party shall install a filter at that stormwater inlet made of polypropylene geotextile which conforms to ASTM Test D4491, D4751, and D4355.

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§ 303-3 Compliance; Enforcement.

- A. Any person who violates, fails, or refuses to comply with this Chapter or any part thereof shall, upon conviction in the Municipal Court be punished for each offense by a fine not to exceed \$1,000. Every such violation or refusal shall be deemed a separate violation, and each day that the same shall continue shall be deemed a separate violation.
- B. Contractors are responsible for informing their employees and subcontractors of the requirements and obligations set forth in this Chapter.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Red Bank that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Red Bank that if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Red Bank that this Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

INTRODUCTION						COUNCILMEMBER	FINAL ADOPTION				
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.
		X				KRISTINA BONATAKIS			X		
		X				DAVID CASSIDY			X		
X	X					NANCY FACEY-BLACKWOOD	X		X		
		X				BEN FOREST			X		
		X				LAURA JANNONE			X		
X	X					KATE TRIGGIANO		X	X		
		X				MAYOR WILLIAM PORTMAN			X		
Introduced: August 14, 2025			I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Red Bank, County of Monmouth, State of New Jersey on the aforementioned date.								
Final Adoption: August 28, 2025			 Mary Moss, Borough Clerk								