

**BOROUGH OF FOLSOM**

**ORDINANCE #- 05-2026**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE AND CREATING A NEW CHAPTER 91 TITLED CONSTRUCTION, GENERAL REQUIREMENTS TO PROMOTE CLEAN AND SAFE WORKSITES WITHIN THE BOROUGH OF FOLSOM**

**WHEREAS**, the Borough of Folsom recognizes the importance of maintaining clean and safe worksites to protect the environment, occupational safety, and public health; and

**WHEREAS**, it is imperative that contractors take measures to minimize the release of dust, trash, debris, plastic, and other contaminants from worksites, thereby reducing pollution and preventing harm to the environment and the community; and

**WHEREAS**, plastics and composite materials do not decompose, and overtime would break down to smaller and smaller particles: microplastics. Microplastic pollution disrupts ecosystems and can cause endocrine, digestive, and respiratory issues in animals including humans, and

**WHEREAS**, the Borough of Folsom seeks to regulate construction practices to ensure compliance with environmentally responsible and safe procedures;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Folsom as follows:

**Section 1-Chapter 91 Construction, General Requirements, clean and safe worksites shall be created as follows:**

**Article 1. Control of construction sites and contaminants**

**§91-1.Definitions**

For the purposes of this ordinance, the following definitions apply:

- a. "Contractor" refers to any individual or entity engaged in construction, renovation, or maintenance to commercial or residential properties within the Borough of Folsom.
- b. "Worksites" shall include all outdoor and indoor worksites within the jurisdiction of the Borough of Folsom where construction, renovation, or related activities are taking place.

**§91-2. Dust, Trash, Debris, and Plastic Control**

Contractors operating within the Borough of Folsom shall implement all of the following to control dust, trash, debris, and plastic contaminants at their worksites:

- a. When cutting, drilling or sanding dust-producing materials, including but not limited to plastic, silica, fiberglass, pavers, or wood treated with chemical contaminants, contractors shall use a vacuum attachment on all saws when practical to minimize the release of dust and micro plastic particles

b. Contractors shall cut, drill, and sand in enclosed spaces to keep dust levels to a minimum and facilitate ease of cleanup and prevent release of debris. These enclosed spaces may include tents to enclose the worksites or hoods made specifically for saws.

c. Contractors shall cut, drill and sand pavers and tiles with wet saws and in enclosed spaces to keep dust levels to a minimum and facilitate ease of cleanup and prevent release of debris. These confined spaces should include tents to enclose the worksites.

d. Contractors shall not engage in cutting, drilling, or sanding activities without placing a tarp under power tools to catch debris and contaminants.

e. Contractors shall tarp their work areas and clean-up all trash and debris generated from work of the day [e.g. dust particles, microplastics, and saw dust] a minimum of once a day to prevent the dispersion of dust, trash, debris, and plastic contaminants.

f. Contractors shall clean up all contaminants before leaving their worksites, ensuring that no waste is left behind nor can be blown into areas beyond the worksite and/or property.

g. Contractors must separate waste and recyclable materials, such as cardboard, and dispose of trash and debris in accordance with all ordinances and State laws.

### **§91-3. Prohibition on Storm Drain Disposal**

Contractors are strictly prohibited from blowing or disposing of debris, dust, or plastic contaminants into storm drains. All contractors must dispose of waste materials properly in accordance with existing municipal waste disposal regulations.

### **§ 91-4. Compliance and Enforcement**

a. Notice of this ordinance shall be given with each new permit issued for construction, renovation, and related activities.

b. The Borough of Folsom may conduct inspections of worksites to ensure compliance with this ordinance. Any person who violates, fails, or refuses to comply with this chapter or any part or section thereof, shall, upon conviction be fined.

c. Fines shall be imposed by the Borough of Folsom as follows:

- 1- First offense- a warning.
- 2- Second offense -up to \$1,000.
- 3- Third or subsequent offense-\$2,500
- 4- Each day is considered a separate offense.

d. Contractors are responsible for informing their employees and subcontractors of the requirements and obligations set forth in this ordinance.

## **Section 2. Repealer**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Folsom inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

## **Section 3. Severability**

If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

## **Section 4. Effective Date**

This ordinance shall take effect upon its passage and publication, and as otherwise provided for by law.

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council in the Borough of Folsom, County of Atlantic and State of New Jersey, held on June 9, 2026 Said Ordinance was approved for final adoption at a public hearing held 5in the Borough of Folsom Municipal Building, 1700 12<sup>th</sup> St., Folsom, NJ on Tuesday, July 14, 2026 at 6:00 P.M.

Patricia M. Gatto  
Municipal Clerk/Administrator  
Borough of Folsom