

# CITY OF BETHLEHEM

## Department of Community and Economic Development Interoffice Memo

**To:** City Council  
**From:** Kristen Wenrich, Health Director  
**Date:** January 12, 2017  
**Re:** Bamboo Ordinance

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Bamboo is a member of the grass family (Poaceae) and is an extremely fast-growing plant. The name "bamboo" covers many genera including Bambusa spp., Phyllostachys spp. and others. The plants are categorized as either running or clumping; running bamboo rhizomes spread away from the original plant, and clumping bamboo rhizomes form in circles that grow larger in diameter as more rhizomes develop. Both types can cause structural damage to buildings. Bamboos are some of the fastest growing plants in the world, with reported growth rates up to 36 inches in 24 hours.

Over last few years, we have received several complaints from residents about the invasion of running bamboo onto their property. Bamboo can be damaging to foundations, buildings, fences, underground infrastructure (gas, water, sewer lines) patios, gardens, etc. In an effort to protect private and public property from the destructive spread of certain running bamboo grasses, the Health Bureau is proposing to amend Article 1161, Health Nuisances, Section 1161.07, to restrict the planting of running bamboo in the City. Furthermore, the proposed amendment would require that a barrier be installed around already existing bamboo.

I request this amendment to Article 1161 be placed on Council's agenda for February 7, 2017. Please contact me if you have any questions. Thank you.

cc: Alicia Karner  
Mayor Donchez



BILL NO. \_\_\_\_\_ - 2017

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 1161 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
“HEALTH NUISANCES”

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

**Section 1:** That Article 1161 of the Codified Ordinances of the City of Bethlehem, titled “Health Nuisances”, Section 1161.07, “Weeds Defined; Height Restrictions; Removal”, which reads as follows:

1161.07 ~~WEEDS DEFINED; HEIGHT RESTRICTIONS; REMOVAL.~~

(a) ~~“Weeds,” as used in this Article, shall include all rank vegetable growth which exhales unpleasant and noxious odors or pollen, and also rank vegetable growth that may conceal filthy deposits or serve as breeding places for mosquitoes and other insects.~~

(b) No person owning or holding real estate shall allow or maintain on any lot within the corporate limits any growth of weeds to a height over one foot if such weeds are within two hundred feet of any buildings or any public right of way. ~~However, such restriction shall only be applicable between the first day of April and the first day of November.~~ Weeds cut on properties in violation of this ordinance must be removed from the property at the time of cutting.

Shall be amended to read as follows:

1161.07 **NOXIOUS WEEDS AND INVASIVE PLANTS DEFINED;**  
HEIGHT RESTRICTIONS; REMOVAL.

(a) **Definitions**

**“Invasive Plant” means a species of vegetation which is non-native to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health. This includes but is not limited to species classified as running bamboo, as well as species listed on the Pennsylvania Department of Conservation and Natural Resources Invasive Plant list.**

**“Noxious Weeds” shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; however this term shall not include cultivated flowers and gardens.**

**“Running Bamboo” means any monopodial, or “running”, woody grass that spread variously, sending out underground runners (rhizomes) which sometimes range far from the parent plant. The definition refers to all parts of the bamboo including the above ground plant, its roots and rhizomes. For the purposes of enforcement of this Article running bamboo shall be identified by the structure of growth and need not be by biological identification.**

(b) No person owning or holding real estate shall allow or maintain on any lot within the corporate limits any growth of **noxious** weeds over one **(1)** foot if such weeds are within two hundred **(200)** feet of any building or any public right of way. Weeds cut on properties in violation this ordinance must be removed from the property at the time of cutting.

**(c) Any property owner or occupant who, with respect to running bamboo, plants, grows, maintains, or allows any of the same, on the property, or who permits running bamboo to spread from or to an adjoining property, shall be guilty of a summary offense, unless said owner can establish to the reasonable satisfaction of the City or court that the following conditions are met:**

- (1) Such running bamboo existed at its then present location prior to the enactment of this ordinance;**
- (2) No part of the running bamboo and its root system is closer than 20’ from any property line, utility easement, and public right of way;**
- (3) Such running bamboo shall be isolated from all other vegetation by a barrier composed of a high density polypropylene or polyethylene, with a thickness of at least 40 mils. The barrier shall be secured and joined together with stainless steel clamps or stainless steel closure stripes designed to be used with such barriers and shall be installed at least thirty (30) inches deep. At least three (3) inches of barrier must protrude above ground level and the barrier shall slant outward from bottom to top.**

**(d) Disposal of removed running bamboo plant or root system shall be done in an ecologically sensitive manner within a sealed container.**

**Section 2:** That all Ordinances and parts of Ordinances herewith be, and the same are hereby repealed.

Sponsored by \_\_\_\_\_

\_\_\_\_\_

PASSED finally in Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

This Ordinance approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

# CITY OF BETHLEHEM

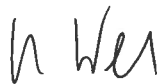
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For your reference, the following addresses are known properties in the City that have bamboo issues: 2121 Priscilla Lane, 537 Pine Street, 2112 Easton Avenue (near Bayard), and the 800 block of Jennings Street. Pictures are also enclosed for your reference. Thank you.

cc: Alicia Karner  
Mayor Donchez





2112 Easton Ave ↘

1935 Bayard St. ↘





1935 Bayard St.

