

# ASSEMBLY, No. 4547

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

**Sponsored by:**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Assemblywoman SHAMA A. HAIDER**

**District 37 (Bergen)**

**SYNOPSIS**

Exempts community gardens composting on-site from certain DEP permits under certain conditions.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning permits for certain community gardens and  
2 supplementing Title 13 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. Notwithstanding any law, rule, or regulation to the  
8 contrary, a community garden that operates an on-site composting  
9 system shall not be required by the Department of Environmental  
10 Protection to obtain a permit, approval, or other authorization  
11 issued by the department pursuant to the "Solid Waste Management  
12 Act," P.L.1970, c.39 (C.13:1E-1 et seq.), the "New Jersey Statewide  
13 Mandatory Source Separation and Recycling Act," P.L.1987, c.102  
14 (C.13:1E-99.11 et al.), the "Air Pollution Control Act (1954),"  
15 P.L.1954, c.212 (C.26:2C-1 et seq.), or the "Water Pollution  
16 Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), or any rules or  
17 regulations adopted pursuant thereto, for the operation of the on-site  
18 composting system provided that:

19 (1) the property on which the composting system is located is  
20 exclusively used as a community garden;

21 (2) the composting system only uses vegetative waste generated  
22 by the community garden; and

23 (3) all compost generated from the composting system is used  
24 on-site exclusively for the community garden.

25 b. As used in this section, "community garden" means any  
26 publicly or privately owned piece of land maintained and cultivated  
27 as a garden by members of the surrounding community.

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29 2. This act shall take effect immediately.

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#### STATEMENT

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34 This bill would exempt community gardens that operate an on-  
35 site composting system from any permits required by the  
36 Department of Environmental Protection under the "Solid Waste  
37 Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.), the "New  
38 Jersey Statewide Mandatory Source Separation and Recycling Act,"  
39 P.L.1987, c.102 (C.13:1E-99.11 et al.), the "Air Pollution Control  
40 Act (1954)," P.L.1954, c.212 (C.26:2C-1 et seq.), or the "Water  
41 Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), or any  
42 rules or regulations adopted pursuant thereto. To be eligible for the  
43 exemption provided by the bill: (1) the property may only be used  
44 as a community garden; (2) the composting system may only use  
45 vegetative waste generated by the community garden; and (3) all  
46 compost generated from the composting system is required to be  
47 used on-site exclusively for the community garden.

1 As defined in the bill, “community garden” means any publicly  
2 or privately owned piece of land maintained and cultivated as a  
3 garden by members of the surrounding community.

4 Permitting processes can be lengthy and often result in expensive  
5 fees. By eliminating various permitting requirements, this bill  
6 would make operating an on-site composting system at a  
7 community garden more convenient and financially feasible.  
8 Community gardens provide numerous benefits, in addition to  
9 providing the neighborhood with fresh produce. Community  
10 gardens beautify urban areas, promote healthy lifestyles, enhance  
11 the environment, and provide educational opportunities for children  
12 to learn about where food comes from, gain a basic introduction to  
13 environmental issues, and develop work skills.