

## Answers to Frequently Asked Questions

### **Are all types of bamboo banned by the ordinance?**

No. Only species in the genus *Phyllostachys* (a genus of running bamboo species) are covered. No other bamboos, running or otherwise, are covered by the ordinance. Genera that are not covered include *Fargesia*, *Pseudosasa* and *Pleioblastus*. Please see the Connecticut Department of Energy and Environmental Protection (“DEEP”) and UConn “Quick Guide to the Identification of Phyllostachys” for more information about the appropriate identification of covered species. This document is available online at [www.cipwg.uconn.edu/bamboo](http://www.cipwg.uconn.edu/bamboo).

### **What should I do if the running bamboo is growing near a watercourse or wetland?**

The ordinance is based upon Connecticut General Statutes Sec. 22a-381e. The statute does not provide for any specific restrictions for running bamboo growing near a watercourse or wetland except to the extent that such an area provides the boundary of a property on which running bamboo is growing.

### **Should the Town recommend any replacement plantings that provide similar aesthetic or screening benefits as bamboo?**

Town residents should be encouraged to use replacement plantings or other measures to achieve the aesthetic or screening benefits that bamboo may provide.

### **Should the Town dictate how running bamboo is to be removed? If so, where should staff and citizens look for best management practices for removing running bamboo?**

The regulation of running bamboo is necessary because it has the potential to encroach on neighboring properties through its spread by long, running, underground rhizomes. It can spread by small fragments. Correct disposal is necessary to prevent spread and recurrence. The ordinance requires that all running bamboo that is removed or uprooted, including its underground roots, structures and rhizomes, shall be disposed of only by incineration and shall not be composted, deposited in any landfill or otherwise disposed of. The control and disposal of running bamboo is addressed in materials provided by the Connecticut Invasive Plant Working Group available online at [www.cipwg.uconn.edu/bamboo](http://www.cipwg.uconn.edu/bamboo).

### **Does this ordinance give the Town the ability to regulate running bamboo on private property when that running bamboo spreads to Town or School property? Private property?**

The purpose of the ordinance is to protect both public and private property, including public rights of way, from the damaging effects of running bamboo. It includes regulation regarding where running bamboo may be planted, maintained or otherwise exist as well as a remedy in situations where a violation of the regulation occurs.

**What happens if property owners ignore the Town requests or demand to remove bamboo?**

The ordinance provides that if the bamboo owner(s) fails to remedy and correct the violations within the reasonable allotted time, the Town may remove so much of the running bamboo that is in violation of the ordinance and take any actions it deems reasonable to prevent its regrowth and restore the property to its natural condition prior to such measures. The cost of such measures taken by the Town is chargeable to the bamboo owner(s) pursuant to the ordinance.

**What should the Town do if the property owner makes a good faith effort to remediate and the running bamboo grows back? Can the Town make them remove it again?**

Running bamboo is persistent and can grow back if not properly remediated. If it grows back and again is in violation of the ordinance the Town can require it to be removed again.

**How can a property owner challenge the Town's enforcement actions?**

The ordinance includes a provision that a bamboo owner who has been served with a notice of violation may request an administrative hearing to contest the notice of violation by filing a written request with the Town Clerk. A hearing would be held in accordance with administrative hearing procedures established by the Town.

**Which Town staff will enforce the ordinance?**

The State Statute provides that any duly authorized municipal constable, municipal tree warden, zoning enforcement officer or inland wetlands and watercourse enforcement officer may enforce the provisions of the statute, which are incorporated into the ordinance. The Town may authorize any or all of the delineated officials to enforce the ordinance.

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