

TOWNSHIP OF MANALAPAN

Ordinance No. 2011-09

AN ORDINANCE AMENDING CHAPTER 155 “NOISE”, ARTICLE I, SOUND LEVEL MEASUREMENT, SECTION 155-7 RESTRICTED USES AND ACTIVITIES OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MANALAPAN

I

BE IT ORDAINED by the Township Committee of the Township of Manalapan, County of Monmouth, and State of New Jersey that Chapter 155 “Noise” be and is hereby amended and supplemented as follows:

(Text added is underlined, deleted text is [**bracketed**])

§ ARTICLE I Sound Level Measurement

§ 155-1 through § 155-6. No Change.

§ 155-7. Restricted Uses and Activities.

A. No Change

B. Notwithstanding the provisions of Tables I and II, the following standards shall apply to the activities or sources of sound set forth below:

1. Noncommercial or nonindustrial power tools and landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and [8:00 a.m.] 7:00 a.m. on weekdays, or between the hours of 8:00 p.m. and 8:00 a.m. on weekends or federal holidays, unless such activities can meet the applicable limits set forth in Tables I and II. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to noncommercial or nonindustrial power tools and landscaping and yard maintenance equipment.
2. Commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on a residential property or within 250 feet of a residential property line when operated on commercial or industrial property, between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and [9:00 a.m.] 8:00 a.m. on

weekends or federal holidays, unless such activities can meet the limits set forth in Tables I and II. In addition, commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, utilized on commercial or industrial property shall meet the limits set forth in Tables I and II between the hours of 10:00 p.m. and 7:00 a.m. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to commercial or industrial power tools and landscaping and yard maintenance equipment.

3. **§ 155-7 B (3) through § 155-7 B (9)** No Change.

4. **§ 155-8** No Change.

II

SEVERABILITY

If any section, subsection, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

III

REPEAL

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

IV

EFFECTIVE DATE

This Ordinance shall take effect upon due publication according to law.

NOTICE OF PUBLIC HEARING

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on [November 9, 2011](#) and will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on [December 7, 2011](#) at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 8:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site www.twp.manalapan.nj.us by clicking on the Ordinance title listed on the Agenda posted for the Township Committee meeting of [December 7, 2011](#).

REGINA PRETEROTI, Acting Municipal Clerk