

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2023-9

AN ORDINANCE AMENDING SECTION 310-3: “UNLAWFUL ACTS” OF CHAPTER 310: “NOISE” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO PROHIBIT CONSTRUCTION ACTIVITIES WITHIN THE BOROUGH ON WEEKENDS DURING THE SUMMER SEASON.

Mayor Fox offered the following Ordinance and moved its introduction:

WHEREAS, the Borough of Bradley Beach (the “Borough”) is empowered and authorized by State law to enact ordinances regulating noise in order to protect the public health, safety, and welfare of the residents and visitors to the Borough; and

WHEREAS, the Mayor and Council find it to be in the best interests of the general welfare of the Borough to more stringently regulate construction noise during the summer season;

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, and State of New Jersey as follows:.

SECTION 1. Section 310-3: “Unlawful Acts” of Chapter 310: “Noise” of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

§ 310-3 Unlawful acts.

Without intending to limit the generality of § 310-2, the following acts are hereby declared to be examples of loud, disturbing and unnecessary noise in violation of this chapter, and it shall be unlawful for any person at any time other than as specifically excluded hereafter:

* * *

- P. To operate or cause to be operated any equipment used in commercial construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances thereto, in residential or commercial land use categories, between the hours of 6:00 p.m. and 8:00 a.m. ~~the following day on weekdays, on any day of the week throughout the year,~~ or between 6:00 p.m. Saturday night and 8:00 a.m. Monday morning from Labor Day through Memorial Day, or between 6:00 p.m. Friday night and 8:00 a.m. Monday morning from Memorial Day through Labor Day, and no such activities described herein shall be performed on legal holidays during any time of year.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.

ERICA KOSTYZ
Municipal Clerk

LARRY FOX
Mayor

Introduced: May 24, 2023

Date of Hearing and Adoption: