

ORDINANCE 2021-17

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING THE MUNICIPAL
CODE OF THE BOROUGH OF BAY HEAD, SO AS TO
AMEND CHAPTER 163, ENTITLED “NOISE”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Bay Head, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Chapter 163 of the Municipal Code of the Borough of Bay Head, entitled “Noise”, is hereby amended and supplemented so as to amend §163-2, entitled "Examples of noise" so as to amend Subsection A(7)(d) in its entirety as follows:

§ 163-2. Examples of noise.

* * *

A(7) Construction, landscaping, or lawn-cutting activities.

* * *

(d) Construction, landscaping, or lawn-cutting activities within the meaning of this chapter includes any excavation, demolition, construction, repair, alteration, landscaping, or lawn-cutting work and work performed by plumbing, electrical, landscaping, carpentry, masonry, tile, pool installation and painting contractors. “Landscaping or lawn-cutting activities” shall include, but not be limited to, the use or operation of power lawnmowers, leaf blowers, and any noise-creating blower.

SECTION 2. Chapter 163 of the Municipal Code of the Borough of Bay Head, entitled “Noise”, is hereby amended and supplemented so as to amend §163-4, entitled “Violations and Penalties,” so as to omit the phrase “not exceeding \$1,000” and replace it with “not exceeding \$2,000”.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
f: 732.905.6555

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

ATTEST:

APPROVED:

Patricia M. Applegate
Municipal Clerk

William W. Curtis, Mayor

Introduced on First Reading: November 1, 2021
Introduced on Second Reading: December 6, 2021
Approved on Second Reading: December 6, 2021

ATTEST:

APPROVED:

Patricia M. Applegate
Municipal Clerk

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