

**BOROUGH OF BEACH HAVEN
COUNTY OF OCEAN**

ORDINANCE #2024-3C

AN ORDINANCE AMENDING Chapter 134 “Noise”, Section 3, “Noise prohibitions enumerated; exceptions” in the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey

PURPOSE

The purpose of this Ordinance is to prohibit construction and landscaping on Thanksgiving and Christmas Day.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN:

SECTION I

Section 143-3A “Specific noise prohibitions” shall be amended as follows (underscores represent additions; ~~strikethroughs~~ represent deletions):

(2)b. Construction or repairing of buildings. The erection (including excavating), demolition, alteration or repair of any building other than between the hours of 8: 00 a.m. and 6: 00 p.m. on weekdays and 9: 00 a.m. and 6:00 p.m. on Saturdays; Memorial Day through Labor Day annually. At any other time, the erection, demolition, alteration or repair of any building other than between the hours of 7: 00 a.m. and 6: 00 p.m. on weekdays and 9: 00 a.m. and 6: 00 p.m. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues. Sunday hours are not permitted. Hours during Thanksgiving Day and Christmas Day are not permitted.

(2)c. Landscaping, installation of pavers and masonry work. The forming of any landscaping, installation of pavers or masonry work on any lands within the Borough of Beach Haven other than between the hours of 8:00 a.m. and 6: 00 p.m. on weekdays and 9: 00 a.m. and 6: 00 p.m. on Saturdays; Memorial Day through Labor Day annually. At any other time of the year, the erection, demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6: 00 p.m. on weekdays and 9: 00 a.m. and 6:00 p. m. on Saturdays, except in the case of urgent necessity in the interest of public health and safety and then only with a permit from the Building Inspector, which permit may be granted for a period not to exceed three days while the emergency continues and which permit may be renewed for a period of not exceeding a single period not to exceed three days while the emergency continues. Sunday hours are not permitted. Hours during Thanksgiving Day and Christmas Day are not permitted.

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION III

If any word, phrase, clause, sections, or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word,

phrase, clause, section, or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

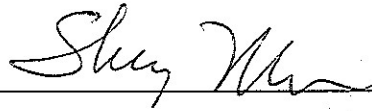
SECTION IV

This Ordinance shall take effect upon publication thereof after final passage according to law.

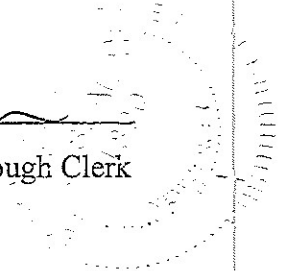
CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 11th day of March, 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of March, 2024.



Sherry Mason, RMC, Borough Clerk



<i>Introduction:</i>	<i>February 12, 2024</i>
<i>First Publication:</i>	<i>February 22, 2024</i>
<i>Adoption:</i>	<i>March 11, 2024</i>
<i>Second Publication:</i>	<i>March 21, 2024</i>
<i>Effective Date:</i>	<i>March 31, 2024</i>