

ORDINANCE NO. 1-11

**ORDINANCE AMENDING CHAPTER 321 OF THE
JEFFERSON TOWNSHIP MUNICIPAL CODE
ENTITLED “NOISE”**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, County of Morris, State of New Jersey, that Chapter 321 of the Jefferson Township Municipal Code, entitled “Noise” is hereby amended as follows:

SECTION I

A. The following definitions shall be added:

Noise Control Officer. Means an employee of the municipality trained and currently certified in the measurement of sound, designated and empowered to issue a summons for violation of this Ordinance. All persons designated shall be certified in noise control activities in accordance with N.J.A.C. 7:29-2.11.

Noise Control Administrator. Means the noise control officer designated as the official liaison with all municipal departments empowered to grant permits for temporary variance.

B. To subsection B(5), there shall be added the following sentence: “The Township Council may alter the prohibited hours to 11:00 p.m. to 8:00 a.m. as a condition of an outdoor gathering permit approval in accordance with Chapter 342 of the Municipal Code.”

C. There is hereby created a new Section 321-7 entitled “Variance” and Section 321-7 shall now be designated as Section 321-8. Section 321-7 shall be as follows:

Variance. Any person or entity who believes that as a result of exigent circumstances, a variance is necessary in one or more of the provisions of this Ordinance, said person or entity shall apply to the Noise Control Administrator for a temporary variance. In the opinion of the Noise Control Administrator, if the exigent circumstances exist, then the Administrator may issue a variance for a temporary period of time, with or without conditions. All applicants for a variance shall comply with any and all reasonable conditions set forth by the Noise Control Administrator.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

**COUNCIL OF THE
TOWNSHIP OF JEFFERSON**

ATTEST:

LORI HARVIN
Clerk

RICHARD W. YOCUM
President

DATED: February 9, 2011

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Council on the first reading at a meeting of the Township Council of the Township of Jefferson, held on the 9th day of February, 2011, and will be considered for a second reading and final passage at a regular meeting of the Township Council to be held on the 2nd day of March, 2011 at 7:00 p.m., at the Municipal Building, located at 1033 Weldon Road, Lake Hopatcong, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LORI HARVIN, Clerk

CERTIFICATION

I, LORI HARVIN, Clerk of the Township of Jefferson, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Jefferson Council on the 2nd day of March, 2011.

LORI HARVIN, Clerk

INTRODUCED: February 9, 2011

ADOPTED: March 2, 2011

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:
