

POINT PLEASANT BOROUGH

ORDINANCE NO. 2024-03

**ORDINANCE OF THE BOROUGH COUNCIL, BOROUGH OF
POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW
JERSEY, AMENDING CHAPTER 3-1.2 ENTITLED
“DEFINITIONS” AND AMENDING AND SUPPLEMENTING
CHAPTER 3-1.9 ENTITLED “RESTRICTED USES AND
ACTIVITIES” OF THE BOROUGH CODE**

BE IT ORDAINED by the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, (hereinafter referred to as the “Borough”) has reviewed numerous existing provisions in the Borough Code and finds the need to modify same as hereinbelow.

SECTION 1. Chapter 3-1.2 entitled “Definitions” shall be amended as follows:

Weekdays and Weekends removed in their entirety.

SECTION 2. Chapter 3-1.9(a, b, c) shall be amended and modified to read as follows:

3-1.9

The following standards shall apply to the activities or sources of sound set forth below:

a. Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall be operated between the hours of 8:00 a.m. and 8:00 p.m. unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

b. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) shall be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours of 8:00 a.m. and 6:00 p.m. on weekdays, or between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II

or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

c. All construction and demolition activity, excluding emergency work, shall be performed between the hours of 8:00 a.m. and 6:00 p.m. on weekdays, or between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II, or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

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.

SECTION 5. This Ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Borough Council of the Borough of Point Pleasant Borough on first reading at a meeting held on the **12TH day of February 2024, at 7:00 p.m.** The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the **11TH day of March, 2024, at 7:00 p.m.,** or as soon thereafter as the matter may be reached, at the Municipal

Building located at 2233 Bridge Avenue, Point Pleasant, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

NOTICE OF ADOPTION OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the ordinance published herewith has been finally adopted by the Borough of Point Pleasant, in the County of Ocean, New Jersey on March 11, 2024, and this ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

ATTESTED TO BY:

APPROVED:

**ANTOINETTE JONES, RMC, CMR,
CLERK**

**ROBERT A. SABOSIK,
MAYOR**