

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE NO. 2024-009

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 268 OF
THE CODE OF THE BOROUGH OF WALLINGTON TO ADD NOISE
RESTRICTIONS RELATING TO CONSTRUCTION OR REPAIR OF
BUILDINGS**

BE IT ORDAINED by the Mayor and Council of the Borough of Wallington as follows:

1. Section 268-2 of the code of the borough of Wallington is amended and supplemented by adding there to a new subsection E to read as follows:

E. Construction or repairing of buildings. The excavation of land or the erection, demolition, alteration or repair of any building except between the hours of 7:30 a.m. and 5:00 p.m. on weekdays and 8:00 a.m. and 1:00 p.m. on Saturdays; further, no such construction or repair shall be permitted at any time on any Sunday or any of the following holidays: New Year's Day, January 1; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25. Excepted from this prohibition are the following:

(1) Any of the activities prohibited herein when undertaken within a fully enclosed permanent structure.

(2) Any of the activities prohibited herein when undertaken by the current lawful resident of the subject premises or other persons on behalf of the current lawful resident who are not providing those services in the course of their regular business (such as neighbors, friends or members of the family of such resident) in which event those activities may be

conducted on weekdays between 7:30 a.m. and sunset, Saturdays between 8:00 a.m. and sunset and Sundays between 10:00 a.m. and sunset, but nevertheless not including any of the aforesaid prescribed holidays.

(3) Any of the activities prohibited herein if the Construction Code Official finds, determines and certifies that there exists a condition upon or circumstances surrounding any particular premises or the structures thereon that, if not immediately repaired or remediated, would pose a risk to the safety or health of persons lawfully upon the premises or to the public or would cause substantial damage to the premises or the improvements thereon. In this event, the Construction Code Official shall issue a written exemption in respect to any or all of the conditions that would otherwise

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apply to the repair or remediation as he or she deems absolutely necessary in order to abate the emergency and which exemption shall extend for such a limited period of time as he or she deems necessary to abate that emergency.

2. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Wallington inconsistent with the provisions of this ordinance is hereby repealed but only to the extent of such inconsistency.

3. This ordinance shall take effect upon its passage and publication provided for by law.

SECOND READING / ADOPTION

MEMBER	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
RACHELSKI		✓	✓			
GRAHAM			✓			
BALIK						✓
PREINFALK	✓		✓			
IVANICKI						✓
ANDROWIS						✓

CERTIFIED AS A TRUE COPY OF AN
ORDINANCE ADOPTED BY THE
BOROUGH WALLINGTON AT A MEETING
DATE BELOW

Frank Belli

FRANK BELLI
MUNICIPAL CLERK, ACTING

ADOPTED THIS 11th DAY OF April, 2024

Melissa Dabal
MELISSA DABAL, MAYOR
BOROUGH OF WALLINGTON

