

BOROUGH OF CLOSTER
ORDINANCE NO.: 2016:1205
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 134 OF
THE CODE OF THE BOROUGH OF CLOSTER REGARDING NOISE

WHEREAS, the Governing Body has determined that a change is required to the Borough’s Noise Ordinance, Chapter 134 of the Code, specifically, Section 134-7, Construction or repair; definitions; and

WHEREAS, the purpose of the proposed amendment is to change the time that construction noise may begin on Saturdays, Sundays and holidays from 8:00 a.m. to 9:00 a.m.

WHEREAS, the proposed change was reviewed by the Ordinance and Legislative Committee, which recommends that the amendment be adopted; and

WHEREAS, the proposed change was reviewed by the Borough Attorney and was deemed to be in order.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Closter, County of Bergen and State of New Jersey as follows:

Section 1. § 134-7. Construction or repair; definitions

Revise paragraph A so that it reads:

It shall be unlawful for any person, firm or corporation to perform excavation, demolition, construction, repair or alteration work before 7:00 a.m. or after 7:00 p.m. Mondays through Fridays; before 9:00 a.m. or after 7:00 p.m. Saturdays, Sundays and holidays. Construction work can be performed before or after these specified times so long as the noise levels do not exceed those outlined in §134-32. Also, in the case of urgent necessity or in the interest of public health or safety, the DPW Superintendent, Police Chief, Fire Chief or Construction Code Official may grant a permit for excavation, demolition, construction, repair or alteration work for a period not to exceed three days, by the terms of which, such work may be carried on between hours otherwise prohibited by this section.

The rest of paragraph A shall remain unchanged.

Section 2.

If any sentence, section, clause or other portion of this Ordinance or the application thereof to any person or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad						
Councilwoman Latner						
Councilman Di Dio						
Councilman Stabile						
Councilwoman Chung						
Councilwoman Amitai						

Introduced: April 13, 2016
 Adopted: May 11, 2016

ATTEST:

APPROVED:

 Loretta Castano, Borough Clerk

 John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held May 11, 2016.

 Loretta Castano, Borough Clerk