

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2015/13**

**ORDINANCE OF THE BOROUGH OF FREEHOLD,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AMENDING CHAPTER 8.36 (NOISE), SECTION 8.36.040 (PROHIBITED ACTS)**

WHEREAS, the Land Use Committee and the Public Safety Committee have reviewed Chapter 8.36, Noise, subchapter 8.36.040, Prohibited Acts, and have determined that the noise from construction and landscaping activities at early hours is disturbing to residents; and

WHEREAS, the Land Use Committee and the Public Safety Committee have recommended that the hours for construction, demolition, lawn care and landscaping activities should be curtailed to allow for the peaceful enjoyment of resident's homes; and

WHEREAS, the governing body concurs with the recommendations of the Land Use Committee and the Public Safety Committee.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold that Chapter 8.36.040 Noise-Prohibited Acts be amended as follows:

SECTION 1

Chapter 8.36.040 Noise-Prohibited Acts.

8.36.040 A – I, K, L, M, O. *No change.*

8.36.040 J. Construction or Demolition. Operation or permitting the operation of any tools or equipment used in construction, drilling, earthmoving, excavating or demolition work, between the hours of nine p.m. and seven a.m. the following day on weekdays, and between the hours of nine p.m. and nine a.m. the following day on holidays or weekends, except in the case of urgent necessity, emergency or in the interest of public health or safety as determined by the Director of Public Works in which case such work may be carried on outside of the designated hours.

8.36.040 N. Lawnmowers, Leaf Blowers, Chainsaws. The operation of a lawnmower, leaf blower, chainsaw, power edger, snowblower or similar device between the hours of nine p.m. and seven a.m. the following day on weekdays, and between the hours of nine p.m. and nine a.m. the following day on holidays or weekends, except for emergency work or emergency snow removal as determined by the Director of Public Works in which case such work may be carried on outside of the designated hours.

SECTION 2

if any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

SECTION 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

SECTION 3

This Ordinance shall take effect upon final passage and publication in accordance with Law.

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MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 8.36 (NOISE),
SECTION 8.36.040 (PROHIBITED ACTS)**

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was approved for final adoption by the Mayor and Council of the Borough of Freehold at a meeting held on November 2, 2015.

TRACI L. DI BENEDETTO
BOROUGH CLERK