

O-19-17
03/20/19

MUNICIPAL COUNCIL OF THE CITY OF BAYONNE

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 3, POLICE REGULATIONS, Subsection 3-1.8, Restricted Uses and Activities, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

3-1.8 Restricted Uses and Activities.

a. Except as provided in paragraph b. below, the provisions of this section shall not apply to the exceptions listed at N.J.A.C. 7:29-1.4.

Construction and demolition activities are exempt from the sound level limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, except as provided for in paragraph b. below.

b. Notwithstanding the provisions of subsections 3-1.6 and 3-1.7, Tables I and II, the following standards shall apply to the activities or sources of sound set forth below:

1. *Noncommercial Power Tools, Landscaping and Yard Maintenance.* Noncommercial or nonindustrial power tools and landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, do not apply to noncommercial or nonindustrial power tools and landscaping and yard maintenance equipment;

2. *Commercial and Industrial Power Tools, Landscaping and Yard Maintenance.* Commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on a residential property or within two hundred fifty (250) feet of a residential property line when operated on commercial or industrial property, between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or Federal holidays, unless such activities can meet the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II. In addition, commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, utilized on commercial or industrial property shall meet the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, between the hours of 10:00 p.m. and 7:00 a.m. All motorized equipment used in these

activities shall be operated with a muffler. At all other times, the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, do not apply to commercial or industrial power tools and landscaping and yard maintenance equipment;

3. *Construction and Demolition Activities.* Construction and demolition activity, excluding emergency work ***or other work expressly approved by the Municipal Council,*** shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on ***Saturdays*** ~~{weekends and Federal holidays,}~~ unless such activities can meet the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II. ***Construction and demolition activity, excluding emergency work or other work expressly approved by the Municipal Council, shall not be performed on Sundays or Federal Holidays.*** Blasting activities shall not be performed between the hours of 6:00 p.m. and 9:00 a.m., ~~{on any day of the week}~~ ***Monday through Saturday and shall not be performed at all on Sundays without the express permission of the Municipal Council***. All motorized equipment used in construction, demolition and blasting activity shall be operated with a muffler. At all other times, the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, do not apply to construction and demolition activities;