

**TOWNSHIP OF WANTAGE**

**ORDINANCE # \_\_08\_-2020**

**An Ordinance to Amend Chapter 3 Police Regulations**

**WHEREAS**, the Township Committee of the Township of Wantage believes that adopting an Ordinance regulating noise will result in the preservation of public safety; and

**WHEREAS**, the Township is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2.26 et. seq.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Wantage in the County of Sussex and the State of New Jersey, that there should be added to Chapter 3, Section 3-9 of the Revised General Ordinances of the Township, entitled “Noise,” which shall provide as follows:

3-9 Notice

**Section 1.** Unnecessary noise unlawful.

It shall be unlawful for any person to make, continue, suffer, permit, allow or cause to be made or continued, upon any premises or in any vehicle owned, occupied or controlled by such person or another, or upon any public street, thoroughfare or parking lot, or in any public park, playground, public or private gathering places any excessive, unnecessary or unusually loud noise which either annoys, injures, disturbs or endangers the comfort, health, repose, peace or safety of others within the Township and which is unreasonable and unnecessary in the circumstances or which is so harsh, prolonged or unusual in its use, time and place as to annoy, disturb or endanger the comfort, health, repose, peace or safety of others within the Township and which are unreasonable and unnecessary in the circumstances. Loud, disturbing, injurious or unnecessary noises in violation of this section are hereby declared to be a nuisance and are prohibited; they include but are not limited to the following:

(a) Any noise which disturbs the peace; the blowing of whistles or horns; the ringing of bells; the barking of dogs; the playing of musical instruments; noisy deliveries; noisy service of motor vehicles; operation of noisy motor vehicles; other noisy motor vehicles; the use of muffler cutouts; the operation of power tools, including power lawn equipment; the use of sound reproduction systems; loudspeakers and public address systems or similar devices; or the creation in any manner of other loud noises which are unreasonable and unnecessary in the circumstances and/or can be heard at the boundary line and affects the peaceful and quiet enjoyment of people in the area or any adjoining property or parcels in the area.

(b) No person shall cause, suffer, allow or permit the operation of any tools or equipment used in the construction, drilling, earth moving, excavating or demolition work, or the operation of any power lawn equipment, including mowers, leaf blowers, edgers or trimmers, before the hours of 6:30 a.m. and after 8:00 p.m. on weekdays, and

before 7:30 a.m. and after 8:00 p.m. on weekends and federal and state legal holidays as established by Wantage unless an emergency has been declared by the Township Administrator or his designee or such work occurs within an industrial or commercial zone and the resulting noise does not impact on any residential property. This ordinance shall otherwise as provide take effect immediately upon passage and publication, or by law.

(c) No person shall cause, suffer, allow or permit the operation of any machine or device for the amplification of the human voice, music or any other sound which can be heard at the property line of the property, except that standard automobile radios, when used and heard only by occupants of the vehicle in which installed, or warning devices on authorized emergency vehicles or horns or other warning devices on other vehicles used only for traffic safety purposes shall be permitted.

(d) The provisions of this Subchapter 3-9 shall not apply to agricultural activities undertaken pursuant to the Right to Farm Act, N.J.S.A. 4:1C-1 et. seq.

(e) In case of a continuing violation, each day the violation continues constitutes a separate offense.

**Section 2. Severability.**

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

**Section 3. Repealer.**

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 4. Effective Dates.**

This Ordinance will take effect after publication and passage according to law.

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Jon Morris, Mayor  
Township of Wantage

ATTEST:

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Michael L. Restel, CPWM, Township Administrator/  
Acting Clerk

NOTICE is given that this ordinance amendment was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on \_\_September 10\_\_\_\_\_, 2020. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on \_\_September 24\_\_\_\_\_, 2019, at 7:00 o'clock P.M., and copies of the ordinance will be made available at the Administrator's office in the Municipal Building to members of the general public.

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Michael L. Restel, CPWM

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