

1st - 9/16/13
2nd - 10/1/13
4th - 10/21/13

Township of Lower, County of Cape May, State of New Jersey
Ordinance # 2013-19

AN ORDINANCE AMENDING CHAPTER 441 ENTITLED "NOISE" OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER

WHEREAS, Section 441-6 of the Revised General Ordinances of the Township of Lower governs Prohibited Acts contained in the noise Ordinance of the Township of Lower; and

WHEREAS, Lower Township Council has received requests to change Section B(4) regarding the noise created during the loading and unloading of trucks during certain times of the day.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May and the State of New Jersey as follows:

Section 1. Section 441-6 B(4) of the Revised General Ordinance of the Township of Lower is hereby amended to read as follows:

§441-6 Prohibited Acts

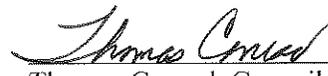
B. No persons shall cause, suffer, allow or permit the following acts:

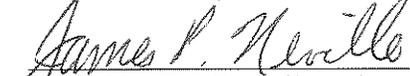
- (4) Loading and Unloading: loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, liquids, garbage cans, refuse or similar objects, or the pneumatic or pumped loading or unloading of bulk materials in liquid, gaseous, powder, or pellet form for the compacting of refuse between the hours of 10:00 p.m. and 8:00 a.m. seven days a week; except by permit, when the sound therefrom creates a noise disturbance across a residential real property line. All Municipal and/or Emergency Services are exempt from this provision.

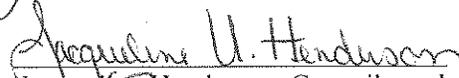
Section 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

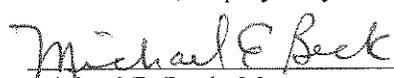
Section 4. This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.


Thomas Conrad, Councilmember


James Neville, Councilmember


Jacqueline Henderson, Councilmember


Norris Clark, Deputy Mayor


Michael E. Beck, Mayor

Adopted: Oct. 7, 2013

Attest: 
Julie A. Picard, Township Clerk