

BOROUGH OF FRANKLIN

ORDINANCE No. 11-2022

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY
OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING
CHAPTER 184 REGARDING NOISE**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Franklin Borough Code is amended as follows:

SECTION I. Chapter 184 of the Code is hereby replaced as follows:

Chapter 184. Noise

§ 184-1. Land noise prohibited.

It shall be unlawful for any person in any public or private place to make, or allow to be made, continued unnecessary, loud, or unusual noise which annoys, disturbs, or injures the quiet, comfort, repose, health, peace, or safety of others within the limits of the Borough of Franklin.

§ 184-2. Unlawful acts.

The following acts are declared to be in violation of this chapter, but such enumerations shall not be deemed to be exclusive:

A. The operation of any instrument, speaker, machine, or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner exceeding the standard set forth in Section E.

B. Yelling, shouting, whistling or singing between the hours of 10:00 p.m. and 7:00 a.m. or exceeding the standard set forth in Section E.

C. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the Borough, except as a danger warning, the sounding of any such device for any unnecessary and unreasonable period of time, the use of any horn, whistle, or other device operated by engine exhaust.

D. The causing of any noise on any street adjacent to a school, institution of learning, church or public office building while the same are in use, or adjacent to a hospital, medical office or clinic, which interferes with the workings of such institutions or which disturbs the occupants in such buildings.

E. The sound level standards for this Ordinance shall be as set forth and applied in N.J.S.A. 13:16-1 et seq. and N.J.A.C. 7:29.

§ 184-3. Exceptions.

The provisions of this chapter shall not apply to:

A. The emission of sound for the purpose of alerting persons to the existence of an emergency.

B. The emission of sound at any regularly operated outdoor commercial recreational facility for the conduct of its usual business, as long as such activity takes place during the hours of 7:00 a.m. and 10:00 p.m. so long as it does not exceed the standard set forth in Section 183-3 E.

C. Noise from celebrations or events sponsored by the Borough of Franklin, public or parochial schools, or houses of worship.

D. Noise from athletic events, celebrations, concerts or dances held at borough Park, if approved and/or sanctioned or authorized by the Borough Council or Recreation Committee.

§ 184-4. Violations and penalties.

Any person violating any provision of this chapter shall be subject to the penalties set forth in Section 1-15.

SECTION II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III


If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV


This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN



Darlene J. Tremont, CLERK



BY: John M. Sowden, IV, MAYOR

DATED: July 26, 2022

NOTICE


NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on June 28, 2022, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on July 26, 2022, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

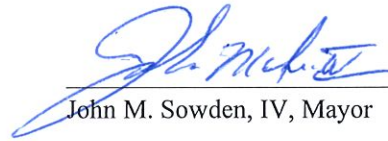


Darlene J. Tremont
Municipal Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 26th day of July, 2022.


 Darlene J. Tremont, Clerk
 Borough of Franklin


 John M. Sowden, IV, Mayor

Introduced: June 28, 2022

Adopted: July 26, 2022

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA COUNCIL PRESIDENT	X					
RACHEL HEATH	X					X
JOSEPH LIMON	X					
JOHN POSTAS	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X				X	
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA COUNCIL PRESIDENT	X					
RACHEL HEATH	X					
JOSEPH LIMON		X				
JOHN POSTAS	X					X
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X				X	
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

**ORDINANCE No. 11-2022
AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND
STATE OF NEW JERSEY MODIFYING CHAPTER 184 REGARDING NOISE**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 28th day of June, 2022, and the same came up for final passage at a meeting of the said Borough Council on the 26th day of July, 2022, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Darlene J. Tremont, Municipal Clerk