

**ORDINANCE NO. 2020-02
BOROUGH OF LEONIA
COUNTY OF BERGEN**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 181
“NOISE” SECTION 181-7 “TOOLS AND EQUIPMENT” OF THE
CODE OF THE BOROUGH OF LEONIA**

BE IT ORDAINED by the Mayor and Council of the Borough of Leonia as follows:

Section 1.

Chapter 181 of the Code of the Borough of Leonia, “Noise”, Section 181-7 “Tools and Equipment” is hereby repealed in its entirety and replaced with the following:

§181-7. Tools and equipment.

- A. On Sundays, there shall be no use or operation of any of the following types of tools and equipment: Pile drivers, steam shovels, pneumatic or electric jack hammers, derricks, steam or electric hoists, tree clippers, gasoline-powered chain saws, gasoline-powered leaf blowers, excavation equipment, or any tools or commercial equipment which shall make any loud or disturbing noise.
- B. On any day other than Sunday, it shall be unlawful to use or operate noise-emitting apparatus or equipment related to demolition or construction between the hours of 6:00 p.m. and 8:00 a.m. Apparatus or equipment subject to this restriction include, without limitation, the equipment identified in §181-7A.
- C. Commercial landscaping.
 - (1) It shall be unlawful to use or operate noise-emitting apparatus or equipment related to commercial contracting or commercial landscaping except on the following days, during the hours listed:
 - (a) Monday through Friday: 8:00 a.m. until 6:00 p.m.;
 - (b) Saturday: 9:00 a.m. until 2:00 p.m.; and
 - (c) Sunday: prohibited all day.
 - (2) Apparatus or equipment subject to this restriction include, without limitation, such apparatus or equipment listed in §181-7(A) and 181-7(B).
- D. There shall be no excavating, demolition, erection, alteration, repair or other building operations within 1,000 feet of any dwelling or business property during the above-stated

hours, except in cases of urgent necessity in the interest of public safety, and then only upon notification to the duty officer of the Police Department as to the nature of the emergency.

- E. Notwithstanding §181-7(A), nothing herein shall prohibit the reasonable noncommercial use of landscaping equipment during the hours listed:
 - (a) Monday through Friday: 8:00 a.m. to 8:00 p.m.;
 - (b) Saturday: 9:00 a.m. to 6:00 p.m.; and
 - (c) Sunday: 10:00 a.m. to 6:00 p.m.
- F. The reasonable commercial and non-commercial use of snow removal equipment is not prohibited.
- G. Nothing herein shall prohibit the use by the Borough of necessary equipment in the public interest.

Section 2. Severability.

If any article, section, sub-section, sentence, clause or phrase of this Ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 3. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. Effect.

This Ordinance will take effect upon publication as required by law.

	Motion	Second	Yes	No	Abstain	Absent
Fusco			✓			
Davis			✓			
Flaim			✓			
Grandelis		✓	✓			
Terrell	✓		✓			
Ziegler			✓			
Mayor Zeigler	---	---				




Judah Zeigler, Mayor

ATTEST:



Anne Dodd, RMC
Borough Clerk

I hereby certify the foregoing to be a true copy of an Ordinance No. 2020-02 adopted by the
Governing Body of the Borough of Leonia on February 3, 2020.



Anne Dodd, RMC
Borough Clerk