

AN ORDINANCE AMENDING CHAPTER III (POLICE REGULATIONS) OF THE GENERAL ORDINANCES OF THE BOROUGH OF RUMSON TO AMEND CERTAIN PROVISIONS REGARDING CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITY HOURS OF OPERATION.

BE IT ORDAINED by the Borough Council of the Borough of Rumson, County of Monmouth, and State of New Jersey that Chapter III (Police Regulations), Section 3-16 (Construction and Property Maintenance Activity Hours of Operation) of the General Ordinances of the Borough of Rumson is hereby amended or supplemented as follows:

**PURPOSE**

The purpose of this ordinance is to amend or add certain provisions regarding enforcement of construction and property maintenance activity hours of operations.

*Chapter III (Police Regulations) of the General Ordinances of the Borough of Rumson is hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):*

**SECTION 1**

*Chapter III (Police Regulations), Section 16 (Construction and Property Maintenance Activity-Hours of Operation) shall be amended, as follows:*

- 3-16.1        Restricted Activities.                      *No Change.*
- 3-16.2        Prohibited Hours of Operations.                      *No Change.*
- 3-16.3        Garbage and Recycling Pickup.                      *No Change.*
- 3-16.4        Restricted Persons.                                      *No Change.*
- 3-16.5        Exceptions.    *No Change.*
- 3-16.6        Enforcement.

The prime contractor (i.e. the construction permit applicant) shall be responsible to ensure that any and all sub-contractors comply with the prohibited hours of operation as noted in Subsection 3-16.2. The prime contractor shall be provided with not more that one (1) warning per building permit. After the warning, the prime contractor will be issued a summons in accordance with Subsection 3-16.7. Separate summons shall be issued to the prime contractor for each occurrence thereafter.

~~3-16.6~~ 3-16.7 Violations and Penalties.

Any person(s), firm(s) or corporation(s) who violates or neglects to comply with any provisions of this section or any rule or regulation promulgated pursuant thereto, shall be subject to the penalty as stated in Chapter III, Section 3-1.

**SECTION 2**

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3**

The Municipal Clerk is hereby directed, upon adoption of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

**SECTION 4**

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced: April 14, 2009.

Passed and Approved: May 12, 2009.

I hereby approve of the  
passing of this ordinance.

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John E. Ekdahl  
Mayor

Attest:

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Thomas S. Rogers  
Municipal Clerk/Administrator