

CHAPTER III
POLICE REGULATIONS*

3-1 UNNECESSARY AND DISTURBING NOISE.

3-1.1 Unnecessary Noise Prohibited. It shall be unlawful for any person, persons, company, corporation or other body of individuals to make or cause to be made or permit to be made, any unnecessary, unreasonably loud, disturbing noise which either annoys, injures or endangers the comfort, repose, health or welfare of others. (Ord. No. 1439 § 1)

3-1.2 Prohibited Acts. The following acts are declared to be loud, disturbing and unnecessary noises in violation of this section but this enumeration shall not be deemed to be exclusive, namely:

- a. The playing of any radios, tape players, compact disc players, phonographs, amplified musical instruments, motor vehicle sound systems and similar devices played in such a manner or at such volume as to annoy or disturb the quiet, comfort or repose of any persons in any dwelling, hotel or other type residence.
 1. Playing or permitting the playing of any radio, tape player, compact disc player, phonograph, amplified musical instrument, motor vehicle sound system or similar device:
 - (a) In such a manner as to create a noise disturbance across real property boundaries or within a noise sensitive zone;

* **Editor's Note:** For regulations concerning littering and illegal dumping, see Chapter XII, Property Maintenance, Section 12-2.

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- (b) When played in any motor vehicle in such a manner as to create a noise disturbance outside the vehicle or as to be plainly audible at a distance of fifty (50') feet;
 - (c) When played in any motor vehicle in such a manner as to create a sound level of sixty-five (65) decibels on the "A" scale as read by the slow response of a sound level meter when read at the curb line of the adjoining street from 7:00 a.m. to 10:00 p.m. or in such a manner as to produce sound which is plainly audible to anyone other than occupants of the motor vehicle between 10:00 p.m. and 7:00 a.m.;
 - (d) When played on any street or sidewalk, playground, school, park or common area of any building, in such a manner as to create a noise disturbance;
 - (e) When played in any residential neighborhood so as to produce sixty-five (65) decibels on the "A" scale as read by the slow response of a sound level meter when measured at a distance of twenty-five (25') feet or at the next adjoining full property line between the hours of 7:00 a.m. and 10:00 p.m. or when played between the hours of 10:00 p.m. and 7:00 a.m. on any street, playground, school, park, or common area of any building in such a manner so as to be heard by anyone other than the operator of the device.
- b. The keeping of any animal or bird causing frequent or long continued noise which disturbs the comfort and repose of any person within the vicinity.
 - c. The shouting of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

- d. The sounding of any horn or signal device on any automobile or other vehicle while not in motion, except as a danger signal, for an unnecessary and unreasonable period of time.
- e. For purpose of this section, *noise disturbance* shall mean any sound which endangers or injures the safety or health of humans or animals or disturbs a reasonable person of normal sensitivities.
- f. The following acts are prohibited in the Township:
 - 1. Possessing or carrying a "boom box" which is in operation on any street, sidewalk, school, playground or public area, or:
 - 2. Installing or possessing or operating in any motor vehicle garage in the Township, a radio, tape player or sound system other than the original equipment in which:
 - (a) The numbers of speakers exceed six (6); or
 - (b) Any speaker exceeds six and one-half (6 1/2") inches in width or height or exceeds one hundred (100) watts in power output; or
 - (c) Any speaker is external to the passenger compartment;
 - (d) *Boom Box* shall mean any radio, tape player, compact disc player or loudspeakers, combination of radio, tape player, compact disc player and loud speakers or similar device which is operated to produce sixty-five (65) decibels on the "A" scale as read by the slow response of a sound level meter when measured at twenty-five (25') feet or at the next adjoining full property line; and is
 - (1) Designed to operate while being transported or carried by a single person; or

- (2) Capable of being operated while carried or transported by a single individual; or
 - (3) Contains speakers in excess of six and one-half (6 1/2") inches in width or height or exceeds one hundred (100) watts in power output.
- (e) This section shall not prohibit:
- (1) Any parade or concert or concert practice providing the Police Chief receives notice at least two (2) days in advance;
 - (2) Any event sponsored or conducted by the Township, the State of New Jersey or any of their governmental agencies;
 - (3) Any event conducted by any block association or civic association providing the Police Chief receives notice at least two (2) days in advance.
- (f) For the purpose of this section, decibel is defined as a unit of measuring the volume of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the referenced pressure, which is twenty (20) micropascals [(20) micronewtons per square meter].
(Ord. No. 1439 § 2)

3-1.3 Violations.

Any person, firm or corporation violating any of the provisions of this section shall upon conviction be liable to the penalty stated in Chapter I, Section 1-5. Each day this section

is violated shall constitute a separate offense. (Ord. No. 1439 § 3; New)

3-2 NOISE FROM CONSTRUCTION.

3-2.1 Purpose; Hours of Construction Prohibited. The Township Committee has determined that noise from construction with the accompanying operation of heavy equipment and power equipment is injurious to the health and welfare of the citizens of Neptune Township.

Construction or repair of buildings before 8:00 a.m. and after 7:00 p.m. shall be prohibited. (Ord. No. 1413 Preamble)

3-2.2 Definitions. As used in this section:

Heavy equipment shall mean those instruments or tools used in the construction industry for the facilitation of major repairs or building.

Power equipment shall mean those instruments or tools used in the construction industry which are operated by electricity, etc. for the facilitation of major repairs or building.

(Ord. No. 1413 § 1)

3-2.3 Heavy Equipment or Power Equipment. Heavy equipment or power equipment used for construction may not be used before 8:00 a.m. and after 7:00 p.m. Monday through Saturday. Heavy equipment or power equipment used in construction may not be used all day on Sunday. (Ord. No. 1413 § 2)

3-2.4 Construction or Repair of Buildings. Construction or repair of buildings shall include the erection, including excavation, demolition, alteration or repair of any building. This should not be interpreted to include the natural and normal maintenance and care a homeowner may effect upon his lawn or home. (Ord. No. 1413 § 3)