

Mr. Redmond offered the following ordinance pass final reading and moved on its adoption:

O-14-13

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**ORDINANCE AMENDING SECTION 3-2.3, "ENUMERATION OF NOISES" TO
PERMIT THE PLAYING OF OUTDOOR MUSIC UNTIL UNTIL 11:00 P.M. ON
SUNDAY, MAY 25, 2014 AND SUNDAY, AUGUST 31, 2014**

WHEREAS, the Borough of Highlands regulates the emanation of noise by and through Section 3-2, "Noise" of the Code of the Borough of Highlands; and

WHEREAS, adjusting the permitted hours for outdoor music is anticipated in increase tourism and enable local business to attract more patrons on the Sunday evenings on Memorial Day and Labor Day Weekends, which are traditionally the start and end of the summer season at the Jersey Shore; and

WHEREAS, the Borough finds that it is in its best interests to amend Section 3-2.3 of the Code of the Borough of Highlands to permit to permit the playing of outdoor music until until 11:00 p.m. on Sunday, May 25, 2014 and Sunday, August 31, 2014; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Highlands, County of Monmouth, State of New Jersey, as follows:

SECTION ONE. Borough Code Section 3-2.3(b)(2), "Enumeration of Noises" shall be amended to provide as follows:

(2) On Sunday, May 25, 2014 and Sunday, August 31, 2014, the time restriction provided by subparagraph (b)(1) above shall read "the playing of music outdoors, either live or recorded, between the hours of 11:00 p.m. and the following 8:00 a.m. on Friday, Saturday and Sunday is hereby prohibited;"

SECTION TWO. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION THREE. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR. Effective. This Ordinance shall take effect after final passage as provided by law.

Seconded by Ms. Ryan and adopted on the following roll call vote:

ROLL CALL:

AYES: Ms. Ryan, Mr Redmond, Ms. Kane

NAYS: None

ABSENT: Mayor Nolan

ABSTAIN: None

Date: May 7, 2014

Carolyn Cummins, Borough Clerk

Introduction: April 16, 2014

Publication: April 26, 2014, Asbury Park Press

P.H./Adoption: May 7, 2014

Publication: