

ORDINANCE #2021-10
AN ORDINANCE SUPPLEMENTING THE BOROUGH
CODE OF THE BOROUGH OF ALLENHURST, CHAPTER
III, ADDING SUBSECTION 3.1.2 ENTITLED “NO
CONSTRUCTION ON SUNDAYS.”

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to supplement the Borough Code to prohibit construction activities on Sundays throughout the Borough in order to maintain the peace.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter III of the Borough Code of the Borough of Allenhurst, be and is hereby supplemented as follows:

SECTION 1. New section 3-1.2 be and is hereby added to the Borough Code as follows:

3-1.2. No Construction on Sundays.

- a. Construction Activities Prohibited. It shall be unlawful for any person, firm, business or corporation to engage in construction activities in the Borough on Sundays, regardless of the time of day. Notwithstanding the foregoing, nothing herein shall be deemed to prohibit a homeowner and/or their immediate family members, from undertaking regular home maintenance activities on Sundays between the hours of 8:00 a.m. and 7:00 p.m.
- b. Penalties. Any person, firm, business or corporation who violates any provision of this section shall, upon conviction thereof, be subject to a fine as follows:
 - i. For a 1st Offense, fine of \$276.00, plus \$24.00 Court Costs;
 - ii. For a 2nd Offense, fine of \$576.00, plus \$24.00 Court Costs; and
 - iii. For a 3rd and any subsequent Offense, fine of \$1,176.00, plus \$24.00 Court Costs.

Each hour of such violation's continuance shall be considered a separate offense and be separately punishable.

SECTION 2. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies pursuant to applicable New Jersey Statutes.

SECTION 3. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

SECTION 4. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption according to law.

Tabled until further notice.

VOTE: Comm. McLoughlin -AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

APPROVED: April 27, 2021

TABLED: May 18, 2021

