

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING CHAPTER 257 ENTITLED LIGHT TRESPASS IN RESIDENTIAL AREAS

WHEREAS, the New Jersey Light Pollution Study Commission submitted a report to the Governor and Legislature in April, 1996 and specifically noted that light trespass including lights that illuminate a neighboring property may be viewed as an invasion of privacy; deteriorate the natural nighttime environment; impact driving, reduce the ability to observe the starry night sky; and that obtrusive lighting conditions may be avoided by the adoption of local ordinances; and

WHEREAS, the Township Council of the Township of Brick deems it to be in the public interest to prohibit light trespass to provide for the peaceful and quiet enjoyment for the residents and citizens of the Township of Brick

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Brick, County of Ocean, and State of New Jersey as follows:

SECTION 1. The Township Code of the Township of Brick is hereby amended to adopt Chapter 257 captioned Light Trespass in Residential Areas and the adopted provision shall and read as follows:

257 - Light Trespass In Residential Areas.

§257-1 Prohibited Acts:

- A. On residential properties, installing or maintaining spotlights or other types of artificial lighting that provide a continuous concentrated beam of light extending beyond any property lines. This prohibition shall not apply to spotlights or other types of artificial lighting controlled by a motion detector that automatically turns off within ten minutes of activation caused by motion.
- B. On residential properties, installing or maintaining spotlights or other types of artificial lighting beyond the vertical plane of the face of any building or structure that causes a continuous beam of light to be reflected upon any adjoining property or any public street. This prohibition shall not apply to spotlights or other types of artificial lighting controlled by a motion detector that automatically turns off within ten minutes of activation caused by motion.

§257-2. Applicability:

This Chapter is intended to apply and to bind the owners, tenants, occupants, guests and all other persons within the Township of Brick.

§257-3. Enforcement; Complaints:

- A. It shall be the duty of the Police Department and Zoning Officials and Code Enforcement Officials of the Township of Brick to determine whether this Chapter has been and is being complied with and to enforce the provisions of this Chapter against any person violating the same.
- B. Any Police Officer, Zoning Official or Code Enforcement Official of the Township of Brick, may file a complaint in Municipal Court of the

Revised

Agenda #	Date
5-1	8-23-22
6-1	9-13-22
Agenda #	Date
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Township of Brick for any violations of this Chapter.

§257-3. Violations and Penalties: Any person, firm, corporation or association violating the terms of this article, whether as principal, agent or employee of another, shall be subject to the penalties as provided in Chapter 1, § 1-15, General penalty. If the violation is of a continuing nature, each day during which it continues constitutes a separate and distinct offense.

SECTION 2. All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

SECTION 3. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Brick held on the 23rd day of August, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 13th day of September 2022 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

JOHN G. DUCEY
MAYOR