

ORDINANCE NO. 2022-16

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 3 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “POLICE REGULATIONS” AS IT PERTAINS TO AIR POLLUTION CONTROL OF PAVERS AND FIBERGLASS

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS as follows:

Section 1. Section 3-18 of the Revised General Ordinances of the Borough of Harvey Cedars entitled “Pavers.” is hereby repealed in its entirety and re-adopted and supplemented as Section 3-18 entitled “Air Pollution Control – Pavers and Fiberglass” to read as follows:

3-18 AIR POLLUTION CONTROL – PAVERS AND FIBERGLASS.

The Board of Commissioners of the Borough of Harvey Cedars has determined that the purpose of this section is to protect and promote the public health and welfare of the community by imposing reasonable regulations on the generation of dust and other airborne pollutants from the causes herein set forth.

3-18.1 Any person, firm, corporation or other legal entity engaged in cutting any stone or masonry products, including, without limitation, brick pavers, bricks, concrete blocks and stone, shall perform such cutting only by using water-dampened cutting disks or water-dampened cutting saws to control as much as may be practicable the dispersion of dust generated by such cutting; and any person, firm, corporation or other legal entity sanding any fiberglass product or fiberglass deck shall do so only with a sander equipped with a vacuum-type bag to capture to the greatest extent possible the particles of ground fiberglass generated by the cutting or sanding operation; and any person, firm, corporation or other legal entity utilizing bleach when power-washing any building, deck, patio, walkway, driveway or vessel or any other object in the Borough of Harvey Cedars shall do so in such a way and in such a manner that airborne mist generated by the power-washing operation, which mist may contain bleach, shall not be permitted to drift onto any adjoining property but shall be contained on the site where the power-washing operation is being conducted.

3-18.2 Any person, firm, corporation or other legal entity which violates any provision of this article shall be subject to a civil penalty for each offense of not more than \$2,000. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional and separate distinct offense.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 4. This Ordinance shall take effect upon final adoption after publication in accordance with law.

ADOPTED ON: September 2, 2022