

Borough of Matawan

Public Notice of Pending Ordinance 21-15

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on July 20, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on August 4, 2021 at 7:00 o'clock PM. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 21-15

BOROUGH OF MATAWAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ORDINANCE ESTABLISHING REGULATIONS REGARDING LIVE ENTERTAINMENT AND MUSIC BY PLACES OF PUBLIC ACCOMODATIONS TO ABATE NUISANCE

WHEREAS, the Borough of Matawan has a lively and community enhancing commercial district and values the contributions of its businesses and entertainment venues in the vitality of the community; and

WHEREAS, the Borough of Matawan is also a community where residents live in the core business district and have expressed concern regarding quality of life issues in the downtown; and

WHEREAS, after a careful review of all the Ordinances of the Borough of Matawan, the Council is cognizant that there is need for the reasonable regulation of outdoor commercial entertainment and amplified music emanating from places of public accommodation.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Matawan that it herewith amends the Police Regulations of the Borough of Matawan as follows:

SECTION ONE:

1. Any place of public accommodation that plays any music, or provide live entertainment, whether prerecorded or live, for the entertainment of its guests or invitees shall close its windows, doors, and exterior openings, and shall cease all exterior transmissions or broadcast of such music at 10:00 PM Sunday through Thursdays (and not reactive such activity prior to 7:00 AM); and shall cease such activity at 11:00 PM on Friday and Saturday (and not reactivate such activity prior to 7:00 AM).

2. The foregoing limitation may be suspended by Special Permit issued by the Mayor and Council or for designated Special Events approved by Council.

3. The within limitation is not applicable for places of worship.

4. The fine for a 1st offense is a fine not to exceed \$250.00; for a 2nd offense it is not less than \$500.00; and for a 3rd or subsequent offense it is subject to the findings of fact and fine imposed by the Municipal Court judge; not to exceed \$1,000.00 and/or imprisonment not to exceed the Fines established in the Enforcement Chapter of the Code.

SECTION TWO: Any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION THREE: If any provisions 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 or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect upon passage, adoption and publication, pursuant to law.