

ORDINANCE NO. 2020 – 04

**AN ORDINANCE OF THE TOWNSHIP OF LITTLE
EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY, CREATING CHAPTER 192 OF THE
TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE
EGG HARBOR, ENTITLED “GENERATORS”**

BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to create Chapter 192, which shall be entitled “Generators,” which shall read as follows:

§192-1. Applicability.

- A. This chapter shall apply to the owners and/or occupiers of residential dwellings in the Township of Little Egg Harbor who have installed or wish to install and utilize a generator.
- B. Generators may only be used as emergency or standby measures in the event of a power outage. Use of a generator as a permanent or primary source of power for a structure in the Township of Little Egg Harbor is prohibited.
- C. This Chapter shall be enforced by the Code Enforcement Officer and the Police Department of the Township of Little Egg Harbor.

§192-2 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein

PERMANENT GENERATORS

Generators permanently connected to the building's electrical systems in order to provide backup power in the event of power outages.

PORTABLE GENERATOR

Generators not permanently connected to the building's electric systems, use a self-contained fuel source and have wheels or are light enough to be carried.

§192-3. Permitted use of generator.

- A. A generator shall only be used during electrical power outages and as required by the manufacturer for maintenance purposes.
- B. Maintenance operation as recommended by manufacturer recommendation or federal or state statute shall only take place during day light hours between the hours of 10:00 a.m. and 5:00 p.m. not to exceed once a week.

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§192-4. Fuel.

The generator shall operate only on liquid gas propane fuel or natural gas (diesel fuel may be used as an alternate).

§192-5. Permitted use of generator Permits and applicable codes.

- A. All property owners seeking to install an outdoor permanent standby emergency backup generator must file an application with the Construction Department and Zoning Officer prior to installation and receive permits as necessary before any work can be commenced. The Uniform Construction Code (UCC) and Chapter 15 of the Township Code shall be complied with. This means that the property owner shall comply with all municipal ordinances and state-adopted codes (i.e., National Electric Code, National Fire Protection Association Code, International Fuel Gas Code, etc.).
- B. No generator to be installed may exceed a capacity of 75 kw.

§192-6. Violations and Penalties.

- A. Anyone violating any of the provisions of this chapter shall be subject to a fine not to exceed the sum of \$1,250 and/or imprisonment not to exceed 90 days for each violation.
- B. Each day of a violation shall be a separate offense and shall be punishable as a separate 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 to be 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 hereof.

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 Little Egg Harbor held on the 12th day of March, 2020, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 9th day of April, 2020, at 7:00 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, 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.

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