

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1909**

**AN ORDINANCE AMENDING CHAPTER 3 POLICE REGULATIONS  
OF THE TOWNSHIP OF MAHWAH TO PROVIDE FOR REGULATION OF  
POWERED OUTDOOR EQUIPMENT WORK HOURS.**

**WHEREAS**, the quality of life and the peaceful enjoyment of property is affected by the operation of outdoor equipment; and,

**WHEREAS**, the Township Council of the Township of Mahwah wants to regulate the operation of outdoor equipment within the Township for the welfare of the public,

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mahwah as follows:

**Section 1.** The Code of the Township of Mahwah is amended in its entirety to read as follows:

**3-14 Powered Outdoor Equipment Work Hours Restrictions**

**3-14.1 Unlawful Acts**

It shall be unlawful within the Township of Mahwah:

- a. Excluding emergency work, for any residential property owner or tenant to operate powered landscaping and/or yard maintenance equipment between the hours of 8:00 p.m. and 8:00 a.m. on all days.
- b. Excluding emergency work, for any nonresidential operator (e.g. commercial operator) to operate any power landscaping and/or yard maintenance equipment on any residential, commercial or industrial property between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and holidays.
- c. Excluding emergency work, for any person to perform any construction of demolition activity between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and holidays.

“Construction” means any outdoor site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

“Demolition” means the dismantling, destruction or removal of buildings, structures or roadways.

d. Notwithstanding any other requirements, permitted soil movement operations shall comply with the time restrictions set forth in Section 28-3.6 of the Township Code.

e. For purposes of this Section 3-14, holidays mean:

New Year's Day  
Memorial Day  
Fourth of July  
Labor Day  
Thanksgiving Day  
Christmas Day

### **3-14.2 Exceptions**

The prohibited activities of Section 3-14.1 shall not apply to:

- a. Agricultural activities.
- b. Emergency work defined as any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or state of emergency declared by a governing agency.
- c. Activities of the Township of Mahwah Department of Public Works, Water and Sewer Utility Departments and the Township of Mahwah Police Department, Fire Department and Emergency Services.
- d. Snow Removal.

### **3-14.3 Violations and Penalties**

For each violation of any provision of Section 3-14 of this Code, the maximum fine shall be as set forth in Section 1-5 of the Township Code.

### **3-14.4 Severability**

If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**3-14.5 Repealer**

All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**3-14.6 Effective Date**

This Ordinance shall take effect as provided by law.

Ordinance No. 1909

Page: 4

Dated: July 30, 2020

Attest



\_\_\_\_\_  
David May  
Council President



\_\_\_\_\_  
Kathrine G. Coviello  
Municipal Clerk

I, Kathrine G. Coviello, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 9th day of July, 2020.



\_\_\_\_\_  
Kathrine G. Coviello, RMC/CMC/MMC  
Municipal Clerk