

Ordinance 2014-18

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

AMENDING CHAPTER 28, “ZONING,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN REGARDING PERMANENTLY INSTALLED STANDBY GENERATORS

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown as follows:

Section 1. Chapter 28, “Zoning,” is hereby amended as follows (additions underlined; deletions in ~~strikeout text~~):

A. This ordinance shall apply to permanently installed standby generators

B. Subsection 28-10-19 “Permanently Installed Standby Generators” is added as follows:

1. Standby generators shall be permitted as accessory uses in the following Residential Districts: R-1, R-2, R-3 and R-4 and shall be located in the rear yard only and not project beyond the side building lines of the principal structure. All generators shall be installed on a concrete pad or other pre-formed pad designed to meet the generator’s specifications. The generator shall be screened so it is not visible from adjacent properties or from any street or public way. For corner lots, generators may be located in the side yard with approval from the Zoning Officer. Screening shall consist either of plantings or an opaque fence of sufficient size and height to completely screen the generator from adjacent properties or from any street or public way. Screening shall be maintained by the owner or occupant of the property.

2. Standby generators may only be used when electric power to the property has been interrupted for reasons beyond the control of the property owner or resident, or for routine testing. Routine testing is permitted for a thirty minute period once a month during weekdays between 9:00 a.m. and 4:00 p.m. subject to air quality restrictions. Routine testing shall not take place on days in which the air quality is classified as unhealthy for sensitive groups, unhealthy, very unhealthy, or hazardous in accordance with N.J.A.C. 7:27-19.2(d) as it may be amended from time to time.

3. Notwithstanding anything to the contrary, generators shall not generate noise levels in excess of 68 dB at twenty-three feet when operating at one

hundred percent. Generators shall be operated at all times with a muffler, and any factory-installed enclosure for the generator may not be removed for any reason except for maintenance or repair.

4. Supplemental diesel and gasoline fuel storage tanks powering generators shall not be permitted in any residential zone. If the generator is powered by propane gas, the propane gas tank shall be completely screened so as not to be visible from adjacent properties or from any street or public way and shall obtain all applicable regulatory approvals.

Section 2. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduced:

Adopted:

ATTEST:

Debra L. Sopronyi
Municipal Clerk

Steven Kirson
Mayor