

**Borough of Highlands  
Public Notice**

Please take notice that the following Ordinance was adopted on final consideration at the meeting of the Mayor and Council of the Borough of Highlands held on Wednesday, May 15, 2013. Copies of the Ordinance are available free of charge in the office of the Borough Clerk located at 42 Shore Drive, Highlands, N.J. between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. Copies are also available on the Borough's website [www.highlandsnj.us](http://www.highlandsnj.us).

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BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

**ORDINANCE AMENDING SECTION 3-2.3, "ENUMERATION OF NOISES" TO  
PERMIT THE PLAYING OF OUTDOOR MUSIC UNTIL 10:00 P.M. ON SUNDAYS  
BETWEEN MEMORIAL DAY WEEKEND AND LABOR DAY AND TO PERMIT THE  
PLAYING OF OUTDOOR MUSIC UNTIL 11:00 P.M. ON SUNDAY, MAY 26, 2013**

**WHEREAS**, the Borough of Highlands regulates the emanation of noise by and through Section 3-2, "Noise" of the Code of the Borough of Highlands; and

**WHEREAS**, the Borough wishes to amend Section 3-2.3, "Enumeration of Noises" to permit the playing of outdoor music, either live or recorded until 10:00 p.m. on Sundays between Memorial Day weekend and Labor Day; and

**WHEREAS**, due to the anticipated increased tourism resulting from the first opening of the Summer season after the effects of Hurricane Sandy, the Borough wishes permit the playing of outdoor music, either live or recorded until 11:00 p.m. on Sunday, May 26, 2013; and

**WHEREAS**, the Borough finds that it is in its best interests to amend Section 3-2.3 of the Code of the Borough of Highlands to permit to permit the playing of outdoor music until 10:00 p.m. on Sundays between Memorial Day weekend and Labor Day and to permit the playing of outdoor music until 11:00 p.m. on Sunday, May 26, 2013; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Highlands, County of Monmouth, State of New Jersey, as follows:

**SECTION ONE.** Borough Code Section 3-2.3(b), "Enumeration of Noises" shall be amended to provide as follows:

(b)(1)The playing of music outdoors, either live or recorded, between the hours of 8:00 p.m. and the following 8:00 a.m. on Sunday, Monday, Tuesday, Wednesday, Thursday, and between the

hours of 10:00 p.m. and the following 8:00 a.m. on Friday and Saturday is hereby prohibited;

(2) On Sunday, May 26, 2013, the restriction provided by subparagraph (b)(2) above shall read "the playing of music outdoors, either live or recorded, between the hours of 11:00 p.m. and the following 8:00 a.m. on Friday, Saturday and Sunday is hereby prohibited;"

**SECTION TWO. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**SECTION THREE. Repealer.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION FOUR. Effective.** This Ordinance shall take effect after final passage as provided by law.

Carolyn Cummins  
Borough Clerk