

**TOWNSHIP OF LONG HILL
ORDINANCE 499-22
REGULATING THE PLAYING OF MUSIC IN OUTDOOR DINING VENUES AND AMENDING § LU-124.13 OF THE TOWNSHIP CODE ENTITLED “OUTDOOR DINING”**

WHEREAS, § LU-124.13 of the Township Code entitled “Outdoor Dining” permits outdoor dining facilities in the B-1-5, B-1-20, M-M, M-H and B-D zones subject to certain conditions; and

WHEREAS, one of those conditions is that, “the outdoor dining use will not involve any outdoor speaker systems or outdoor music playing of any kind;” and

WHEREAS, the Township Committee feels that music should be permitted at outdoor dining facilities as long as it does not constitute a nuisance to the facility’s neighbors;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that § LU-124 of the Township Code entitled “Supplemental Use Regulations” be amended as follows:

Section 1. Subparagraph “2” of paragraph “a” of § LU-124.13 entitled “Outdoor Dining” is amended to read as follows:

“2. Outdoor dining facilities may include outdoor speaker systems and music playing subject to the following conditions:

- i. No outdoor music playing shall be permitted *after 10:00 p.m. on Thursday, Friday and Saturday, or after 9:00 p.m. on Sunday, Monday, Tuesday and Wednesday*
- ii. The outdoor music shall not be unreasonably or unnecessarily loud so as to disturb neighbors of the facility.”

Section 2. In all other respects, § LU-124.13 shall remain unchanged.

Section 3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST

Megan Phillips, RMC

Matthew Dorsi, Mayor

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