

*****ADOPTED FEBRUARY 13, 2017*****

TOWNSHIP OF DELANCO

ORDINANCE 2017-3

**AN ORDINANCE AMENDING CHAPTER 110 GOVERNING “ZONING”, ARTICLE IV
DISTRICT REGULATIONS AT §110-38 I-1 LIGHT INDUSTRIAL DISTRICT
FURTHER LIMITING OUTDOOR OPERATIONS AND ACTIVITIES IN THE
OVERNIGHT HOURS**

WHEREAS, the Township Committee of the Township of Delanco (“Township”) is dedicated to improving and preserving the quality of life for residents; and

WHEREAS, the Township has reviewed existing Code provisions, with regard to zoning in an effort to improve existing regulations and quality of life; and

WHEREAS, the Township Master Plan distinguishes the I-1 Light Industrial Zone from the I-2 Industrial Zone by limiting the permitted uses in the I-1 Zone; and

WHEREAS, the Township has determined that further requirements reinforcing the conduct of operations and limiting hours of operation is warranted in the I-1 Light Industrial Zone but not the I-2 Industrial Zone; and

WHEREAS, in the I-1 Light Industrial Zone the Township Code permits the manufacture, fabrication, and assembly of products from previously processed and prepared materials conducted within completely enclosed buildings; and

WHEREAS, the railroad freight system operates in the overnight hours providing materials and commodities. The rail-truck intermodal delivery and transport system provides opportunities to produce products for export which is a wealth generating prospect for business and labor; and

WHEREAS, the public health, safety, and general welfare is threatened by noise, vibration, and excessive task appropriate artificial lighting for night time operations; and

WHEREAS, public health is related to the quality of sleep of nearby residents which otherwise might be disturbed by noise, vibration and lighting; and

WHEREAS, the general welfare is negatively impacted when incompatible land uses seeks to operate business and industry which often cannot attenuate noise, reduce dust and odors, minimize vibration, and reduce night lighting effects.

AND NOW THEREFORE, IT IS HEREBY ORDAINED by the Township Committee of the Township of Delanco as follows:

Section 1. Chapter §110-38:E shall be added entitled

D. Conduct Operations Indoors and Hours of Operation

- (1) The manufacture, fabrication, assembly, packaging or repair of products, goods, equipment, or similar shall be conducted entirely indoors. Indoor and outdoor operations, except as otherwise indicated below, shall not be permitted between the hours of 11pm to 7am.
- (2) Any vehicle engaged in a facility's commercial or industrial operations, which includes but is not limited to Mechanical loading/unloading, back-up beepers, onboard auxiliary power units, trailer refrigeration units, and bulk off-loading apparatus shall not be permitted to operate between the hours of 11pm to 7am. Freight trains and customer and/or employee personal vehicles are exempt from this restriction.
- (3) The receipt, loading or unloading of trucks, tractors, and trailers shall not be permitted between the hours of 11pm and 7am. Trash, refuse and recycling vehicles are exempt from this restriction.

Section 2. Repealer, Severability, and Effective Date

Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares it's intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the ordinance.

Effective Date. This Ordinance shall take effect upon proper passage and approval in accordance with the law.