

55-176. MISCELLANEOUS PERFORMANCE STANDARDS.

- A. *Electricity.* Electronic equipment shall be shielded so that there is no interference with any radio or television reception beyond the operator's property as the result of the operation of such equipment.
- B. *Glare.* No use shall direct or reflect a steady or flashing light beyond its lot lines. Exterior lighting and lighting resulting from any manufacturing or assembly operations shall be shielded, buffered and directed as approved on the site plan so that any glare, direct light, flashes or reflection will not interfere with the normal use of nearby properties, dwelling units and streets. Also see § 55-171 "Lighting," in this Article.

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- C. *Heat.* Sources of heat, including but not limited to steam, gases, vapors, products of combustion or chemical reaction, shall not discharge onto or directly contact structures, plant life or animal life on neighboring uses or impair the function or operation of a neighboring use. No use, occupation, activity, operation or device shall cause an increase in ambient temperature, as measured on the boundary between neighboring uses.
- D. *Radioactivity.* No use, activity, operation or device concerned with the utilization or storage of radioactive materials shall be established, modified, constructed or used without having first obtained valid permits and certificates from the Office of Radiation Protection of the New Jersey Department of Environmental Protection. Proof of compliance with this requirement shall be the submission of duplicate copies of said permits and certificates.
- E. *Vibrations.*
- (1) Standard. Ground-transmitted vibrations shall be measured with a seismograph or complement of instruments capable of recording vibration displacement and frequency in three (3) mutually perpendicular directions simultaneously.
 - (2) Vibration level restrictions. Vibration levels shall not exceed a particle velocity of five-hundredths (.05) inch per second in any district. During the hours of 9:00 p.m. to 7:00 a.m. in residential districts, vibration levels shall not exceed a particle velocity of two-hundredths (.02) inch per second. Measurements shall be made at the points of maximum vibration intensity and on or beyond adjacent lot lines or neighboring uses, whichever is more restrictive.
- F. *Airborne Emissions.* In all districts, no use, activity, operation or device shall be established, modified,

constructed or used without having obtained valid permits and certificates from the Bureau of Air Pollution Control, N.J.D.E.P. 7:27-8. Specifically, no use, activity, operation or device shall be established, modified or constructed without a valid permit to construct. No use, activity, operation or device shall be operated, occupied or used without a valid certificate to operate control apparatus or equipment. Proof of compliance with this requirement shall be the submission of duplicate copies of the permit to construct and certificate to operate. In addition to the requirements of the New Jersey Department of Environmental Protection, the following shall also apply:

- (1) Steam emissions. No visible emissions of steam having an equivalent capacity greater than sixty percent (60%) and except direct results of combustion shall be permitted within five hundred (500) feet of a residential district.
- (2) Toxic matter. Emissions of chemicals, gases, components or elements listed as being toxic matter by the American Conference of Governmental Hygienists, the New Jersey Department of Labor and Industry or the United States Environmental Protection Agency shall not exceed the threshold level, as determined in accordance with ASTM D1391. The emission of concentrations, levels or mass loadings in excess of the threshold value shall be permitted only if the emissions of said toxic matter comply with the applicable regulations of the New Jersey Department of Environmental Protection, the New Jersey Department of Labor and Industry and the United States Environmental Protection Agency. Proof of compliance shall require the submission of duplicate copies of certifications or permits from the New Jersey Department of Environmental Protection and the

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New Jersey Department of Labor and Industry approving the concentrations, level or loading proposed by the applicant.

- (3) Odorous matter. No odor shall be emitted that is detectable by the human olfactory sense at or beyond an adjacent lot line.

G. *Noise Emissions.*

- (1) Standard. Noise shall be measured with a sound level meter complying with the standards of the American National Standards Institute, American Standards Specifications for General Purpose Sound Level Meters (ANSI S1.4-1961 or its latest revisions). The instrument shall be set to the A-weighted response scale and the metering to the slow response. Measurements shall be conducted in accordance with the American Standard Method for the Physical Measurements of Sound (ANSI S1.2-1961 or its latest revision).
- (2) Noise level restrictions. Noises shall not exceed the maximum sound levels specified in the table, except that in any residential district, the A-weighted sound levels shall not exceed forty-five (45) dBA during the hours of 9:00 p.m. to 7:00 a.m. Whenever a residential district abuts any other district, the most restrictive of the limitations shall apply.

Noise Level Restrictions

Performance Category	Maximum Level Permitted	Where Measured
Residential districts	55/dBA	On or beyond the neighboring use or lot line
Agricultural districts	60/dBA	On or beyond the neighboring use
All other districts	65/dBA	On or beyond the district boundaries

(3) Exclusions and permitted variations.

- (a) The levels specified in the table may be exceeded once by ten (10) dBA in a single period of fifteen (15) minutes, during one (1) day.
- (b) Peak values of short duration, also known as impact noises, may exceed the values specified in the table by twenty (20) dBA or have a maximum noise level of eighty (80) dBA, whichever is more restrictive.
- (c) Noises, such as alarms, sirens, emergency warning devices, motor vehicles and other sources not under the direct control of a use, are excluded from the above limitations.

H. *Storage and Waste Disposal.*

- (1) In all districts permitting such an operation, use or any activity involving the manufacture, utilization or storage of flammable, combustible and/or

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explosive materials, such storage shall be conducted in accordance with the regulations promulgated by the Department of Labor and Industry of New Jersey or the Fire Code of the National Fire Protection Association, whichever is more restrictive.

- (2) All flammable, explosive and/or combustible material shall be stored in accordance with the codes of the National Fire Protection Association or the New Jersey Department of Labor and Industry, whichever is more restrictive.
- (3) All outdoor storage facilities for fuel, raw materials and products stored outdoors wherever permitted shall be enclosed by an approved safety fence and visual screen and shall conform to all yard requirements imposed upon the principal buildings in the district.
- (4) No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation or which will destroy aquatic life be allowed to enter any stream or watercourse.
- (5) All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers that are adequate to eliminate such hazards.