

BOROUGH OF HAMBURG

AN ORDINANCE AMENDING THE BOROUGH ZONING ORDINANCE TO PROHIBIT NUISANCE OUTDOOR LIGHTING

ORDINANCE 11-2025

WHEREAS, the Borough Zoning Ordinance, Chapter 215 of the Code of the Borough of Hamburg, seeks to protect and promote the public health through the control, abatement and prevention of conditions injurious to the public health and safety;

WHEREAS, the Zoning Ordinance prohibits conditions and activities deemed to be detrimental or a threat to the public health or environment or an annoyance interfering with the comfort and well-being of the residents of the Borough;

WHEREAS, Borough Council finds and determines that outdoor lighting fixtures that illuminate beyond the property on which they are installed, when left on during the late night and early morning hours, unreasonably disrupt the peace and privacy of neighboring residents and endanger public health;

WHEREAS, amending the Zoning Ordinance to prohibit these conditions will provide a mechanism for abatement as well as enforcement when appropriate;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Hamburg, that Chapter 215 of the Code of the Borough of Hamburg, at Article XIX, Additional Lot and Yard Provisions is hereby amended to include the following:

1. Article XIX Additional Lot, Yard and Nuisance Outdoor Lighting Provisions
2. Section 215-108 is added as follows:
 - §215-108 Nuisance Outdoor Lighting
 - A. Outdoor lighting fixtures that are not shielded and constructed to prevent illumination beyond the property on which they are installed, including lights controlled by motion detectors, shall be turned off between 10 P.M. and sunrise.
 - B. Lighting shall be presumed to prevent illumination beyond the property if it is shielded and directed downward and no direct light is emitted above a plane extending outward from the base of the light source parallel to the ground. Illumination beyond the property between 10:00 P.M. and sunrise is prohibited.

AND BE IT FURTHER ORDAINED that this Ordinance shall be effective upon its passage and publication as provided by law.

CERTIFICATION

NOTICE is hereby given that the above ordinance was introduced and passed on a first reading by the Mayor and Council of the Borough of Hamburg held on July 7, 2025 and will be considered for final passage on August 4, 2025 or as soon thereafter as same can be considered, in the Municipal Building, 16 Wallkill Avenue, Hamburg, NJ at which time and place all person interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Wallkill Avenue, Hamburg, NJ, and is available for public inspection during regular business hours. During the week prior and up to the time of the public hearing, copies of said Ordinance will be available to the member of the general republic who request same.

Beth Martin
Acting Municipal Clerk