

ORDINANCE 204

AN ORDINANCE AMENDING ORDINANCE 156, ENTITLED "AN ORDINANCE ESTABLISHING LAND USE DEVELOPMENT REGULATIONS AND RESTRICTIONS PURSUANT TO THE MUNICIPAL LAND USE LAW (CHAPTER 291, LAWS OF N.J. 1975); ESTABLISHING A ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD PURSUANT TO SAID LAW; AND REPEALING ORDINANCES RELATING TO ZONING AND PLANNING, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE TERMS AND PROVISIONS THEREOF IN THE VILLAGE OF LOCH ARBOUR, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY" SO AS TO ESTABLISH REGULATIONS PERTAINING TO SATELLITE EARTH STATIONS AND OTHER ANTENNA DEVICES AS ACCESSORY STRUCTURES AND TO AMEND ARTICLE 8 FOR THE PURPOSE OF INCREASING THE MONETARY FINE FOR VIOLATING SAID ORDINANCE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH ARBOU, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, that the Ordinance referred to in the title hereof is amended and supplemented as follows:

Section 1. There is hereby added to Article 6 (Design and performance Standards) a section to be numbered Section 632 and entitled "Satellite Earth Stations", which Section shall read as follows:

- A. The dish antenna is only permitted as an accessory use on a lot that contains a principal structure.
- B. A dish antenna is only permitted in a rear yard.
- C. A dish antenna is only permitted as a ground level free-standing structure.
- D. A dish antenna shall be no closer than twenty (20) feet from the side or rear property line.
- E. The surface receiving area of the dish antenna shall not exceed twenty-five (25) square feet.
- F. No dish antenna shall exceed a height of six (6) feet.
- G. A dish antenna may only be designed for and service the inhabitants or patrons of the principal structure on the lot.
- H. No lot may contain more than one dish antenna.
- I. All power control and signal cables from the dish antenna shall be installed below the ground surface in accordance with applicable provisions of the Uniform Construction Code.
- J. A dish antenna shall be located and screened to minimize motor noise and visual impact from the street and adjacent properties. The enclosure shall be a natural or artificial buffer of fence having a height of six (6) feet, which is planted or constructed so as to conceal the dish antenna from view, at ground level, at all property lines. If a natural buffer is utilized, it shall be planted with such trees or plants to maintain the buffer quality during the entire year.

Section 2. There is hereby added to Article 6 (Design and Performance Standard) a section to be numbered 632 and entitled "Antenna - Sending and Receiving devices", which Section shall read as follows:

"Antenna" shall mean the out-door portion of the sending or receiving equipment used for sending or receiving television or radio waves from space, exclusive of a satellite earth station commonly referred to as a dish antenna.

"Mast" shall mean that portion of the outside antenna system to which the antenna is attached, and the support or extension required to elevate the antenna.

"Height" shall mean the overall vertical length of the antenna system above the ground, or, if such system be located on a building, then, the overall vertical length of the antenna system above the ground inclusive of the length of the building upon which the system is mounted.

All television and radio sending and receiving antenna installation shall be made in accordance with the following rules and regulations:

Every mast and antenna installed on a roof shall be adequately secured by guide wires and/or a bracket attached to a roof or chimney.

Out-door antennas shall not exceed the maximum height of thirty-five (35) feet or six (6) feet above the height of the building on which it is mounted, whichever is higher.

Every mast and antenna must be mounted to the chimney, roof or side of a structure, or if the installation is based on the ground, it must be adequately fastened and secured to the structure to be service by the antenna.

Section 3. Article 8 (Violations and penalties) is hereby amended to read as follows:

For any and every violation of the provisions of this ordinance, the owner, contractor or other persons interested as lessee, tenant or otherwise, in any building or premise where such violation has been committed or shall exist, and who refuses to abate said violation within five (5) days after written notice has been served upon him, either by mail or by personal service, shall be subject to a fine not exceeding one thousand (\$1,000.) dollars, imprisonment in the Monmouth County Jail for a term not exceeding ninety (90) days, or both, at the discretion of the Magistrate having jurisdiction in the matter. Each and every day such violation continues after such notice has been served shall be considered a separate and specific violation of this ordinance.

Section 4. All ordinances or part of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Ordinance No. 156 of the Village of Loch Arbour not inconsistent herewith are hereby ratified and confirmed.

Section 5. This Ordinance shall become effective immediately upon its final passage and publication as provided by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced at a meeting of the Board of trustees of the Village of Loch Arbour, in the County of Monmouth and State of New Jersey, on the 14th day of March, 1985, and was then read for the first time. The said Ordinance will be further considered for final passage by the Board of Trustees at Village Hall at 8:00 P.M. on the 10th day for April, 1985 at such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance