

CHAPTER 198

AN ACT concerning noise restrictions on beach bars, amusement parks and carnival amusement rides and supplementing P.L.1971, c.418 (C.13:1G-1 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.13:1G-4.3 Exceptions to the “Noise Control Act of 1971.”

1. a. It shall not be a violation of the “Noise Control Act of 1971,” P.L.1971, c.418 (C.13:1G-1 et seq.), or any rule or regulation established pursuant thereto, for a person to operate:

(1) a beach bar, existing and operating as of August 31, 2011, during normal business hours, as defined by the department, between May 15 and October 15; or

(2) an amusement park or a carnival amusement ride, existing and operating as of August 31, 2011, during normal business hours, as defined by the department, between May 15 and October 15, provided, however, that the person operating the carnival amusement ride, whether within an amusement park or otherwise, is complying with the recommendations of the manufacturer for maintaining and lubricating the carnival amusement ride to minimize, to the extent practicable, the noise sources within and on the ride.

b. In the event of the replacement of a carnival amusement ride existing and in operation as of August 31, 2011, the ride shall remain subject to the provisions of subsection a. of this section provided that the noise emissions of the new carnival amusement ride are less than or equal to the noise emissions of the ride that is being replaced.

c. As used in this section:

“Amusement park” means “amusement park” as defined in section 1 of P.L.1992, c.118 (C.5:3-55).

“Carnival amusement ride” means “carnival amusement ride” as defined in section 2 of P.L.1975, c.105 (C.5:3-32).

2. This act shall take effect immediately.

Approved January 17, 2012.