

## ORDINANCE NO. 2020-02

### ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SUPPLEMENTING THE BOROUGH'S REVISED GENERAL ORDINANCES TO INSERT NEW CHAPTER 241: "BALLOON RELEASE" TO PROHIBIT THE MASS RELEASE OF BALLOONS WITHIN THE BOROUGH WITH EXCEPTIONS

**BE IT ORDAINED** by the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, that the Borough's Revised General Ordinances is amended to include new Chapter 241: "Balloon Release(s)" as follows:

#### **CHAPTER 241: BALLOON RELEASE(S).**

##### **§ 241-1 Purpose and Intent.**

This Chapter is adopted to protect the environment, particularly wildlife, and the health, safety and well-being of persons and property by prohibiting the mass release into the atmosphere of balloons inflated with lighter-than-air gases, including latex and Mylar, as it has been determined that the release of balloons inflated with lighter-than-air gases pose a danger and nuisance to the environment, particularly to wildlife and marine animals so as to constitute a public nuisance within the Borough and may pose a threat to the safety of its residents and their property.

##### **§ 241-2 Prohibited Releases.**

It shall be unlawful for any person, firm or corporation to intentionally release, organize the release, or intentionally cause to be released three (3) or more balloons inflated with a gas that is lighter than air within the Borough of Red Bank, except for:

- (a) Balloon(s) released by a person on behalf of a governmental agency or pursuant to a government contract for scientific or meteorological purposes;
- (b) Hot air balloons that are recovered after launching; and
- (c) Balloons released indoors.

##### **§ 241-3 Violations and Penalties.**

Any person found in violation of this Chapter shall be subject to a fine of more than \$100.00 and less than \$1,000.00.

**BE IT FURTHER ORDAINED** by the Governing Body of the Borough of Red Bank that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**BE IT FURTHER ORDAINED** by the Governing Body of the Borough of Red Bank that if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED** by the Governing Body of the Borough of Red Bank that this Ordinance shall take effect immediately upon its passage and adoption according to law.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin					X
Councilwoman Triggiano	Motion	X			
Councilman Ballard		X			
Councilman Yngstrom		X			
Councilman Ziprich	Second	X			
Councilwoman Horgan		X			

Introduction: February 12, 2020

Public Hearing/Adoption: February 26, 2020