

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF SPARTA AMENDING CHAPTER 18
ENTITLED “ZONING” TO MODIFY AND UPDATE SECTION 18-4.5i
REGARDING STANDBY GENERATORS**

Purpose Statement – The purpose of this ordinance is to modify and update the ordinance standards regarding standby generators and establish standards for standby generators.

WHEREAS, the Township Council of the Township of Sparta by way of this ordinance is updating and amending the zoning ordinance of the Comprehensive Land Management Code of the Township of Sparta consistent with the Master Plan and;

WHEREAS, the Planning Board has determined that this proposed amendment is not inconsistent with the Master Plan;

NOW, THEREFORE, be it ordained by the Township Council of the Township of Sparta that the Comprehensive Land Management Code is hereby amended as follows:

SECTION 1: Section 18-4.5, entitled “General Restrictions” is amended to remove the existing subsection 18-4.5. i. in its entirety and replace it with the following subsection:

i. Permanent Standby Generators

1. Permanent Residential Standby Generators shall be considered accessory uses subordinate and customarily incidental to the principal use on the same lot and permitted in all single-family residential zones at single-family detached dwelling units. Unless part of a larger site plan submission to the Planning Board or Zoning Board of Adjustment, impervious cover created by a generator or the pad supporting the unit is considered de minimus and impervious cover calculations for the generator system are not required. Noise attenuation technology shall be used. Setbacks shall be measured from the pad supporting the unit and shall meet a minimum of five (5) feet from side and rear property lines. Generators are not permitted in the front yard and must adhere to the following standards;

(a) The size of the generator unit may not exceed 40kw unless the following conditions are met;

a. The generator and the pad supporting the unit meet or exceed the side yard and rear yard setbacks for a principal structure in the zone district where they are located, and

(b) Scheduled Maintenance (exercise time) is only permitted between the hours of 10:00 AM and 5:00 PM from Monday to Friday and shall only occur a maximum of once per week for a maximum of 30 minutes, unless the unit is undergoing repairs.

2. Permanent Standby Generators are permitted as an accessory use in all non-residential zones and are not limited by size, but shall adhere to all other standards under 18-4.5 i. 1. (b) and zoning requirements for accessory structures. Noise attenuation technology shall be used.

SECTION 2. Severability.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remained of this ordinance shall be deemed valid and effective.

SECTION 3. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect within twenty (20) days of the date of adoption hereof.

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced and passed upon first reading at a regular meeting of the Sparta Township Council held at the Municipal Building, 65 Main Street, Sparta, New Jersey on November 23, 2021, and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey, on December 14, 2021 at 7:30 p.m., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on November 23, 2021. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on December 14, 2021 at 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK

