

**ORDINANCE NO. 2406**

**AN ORDINANCE AMENDING CHAPTER 40 OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF ROSELLE PARK REGULATING  
GENERATORS SECTION 40-3003 L**

**BE IT ORDAINED** by the Borough Council of the Borough of Roselle Park, County of Union, State of New Jersey as follows:

**SECTION 1.** The Revised General Ordinances of the Borough of Roselle Park are hereby amended by the inclusion of new Chapter 40-3003 L ACCESSORY STRUCTURES.to be entitled “Generators,” and shall read in its entirety as follows:

**GENERATORS**

- § 40-3003-L-1.       **Definitions.**
- § 40-3003-L-2       **Permit required; location for outside equipment.**
- § 40-3003-L-3       **Generators and equipment.**
- § 40-3003-L-4       **Application for permit.**
- § 40-3003-L-5       **Application Fee**
- § 40-3003-L-6       **Inspections required.**
- § 40-3003-L-7       **Violations and penalties.**

**§ 40-3003-l-1. Definitions.**

For the purposes of this chapter, the terms herein are defined as follows:

**GENERATOR** - Reciprocating internal combustion engine and associated equipment, including but not limited to fuel tanks, cover, piping, pad and transfer switch, used to supply backup electric power when local utility is unavailable, not including portable generators.

**EMERGENCY** – The loss of primary power due to power outage beyond the control of the property owner.

**§ 40-3003-L-2.       Permit required; location for outside equipment.**

No generator shall hereafter be permanently installed to serve any existing dwelling erected on a lot located in the Borough of Roselle Park, unless such generator meets the requirements of this chapter and a permit to do so is first obtained from the Building Department. Generators shall be located in the rear yard or the side yard of the lot. All generators permanently installed shall be screened with fencing, shrubbery or other landscaping at least 4 feet in height as approved by the Building Inspector. All screening or fencing shall be placed in accordance with the generator manufacturer’s recommendations, the requirements of the National Fire Protection Association and the zoning requirements of the Borough of Roselle Park. All screening or fencing shall be maintained as

originally approved. If the screening or fencing is not so maintained, any permit granted is subject to immediate revocation by the Building Inspector.

**§ 40-3003-L-3. Generators and equipment.**

Except for generators serving a public purpose and owned and operated by the Borough, generators permanently placed on the ground or a pad shall be allowed only as follows:

1. Only one permanent generator for residential use with an output of not more than 20 kW is allowed. For businesses not more than 40 KW.
2. The generator shall be set back a minimum of 4 feet plus side yard setback from the side or rear property line and no greater than 15 feet from the principle structure in the rear yard.
3. The generator shall be installed in accordance with the most current editions of the National Fire Protection Association, the National Electric Code, the International Fire Code New Jersey Edition, the International Plumbing Code New Jersey Edition and the International Residential Code New Jersey Edition.
4. The footprint of the generator, including the pad, will not be counted as impervious coverage.
5. The footprint for residential use, including the pad and cover, shall not exceed 12 square feet and a height of 4 feet. Businesses subject to building department review.
6. The generator shall be used only during periods of emergency or for periodic testing and necessary maintenance operations.
7. The generator shall be exempt from the provisions of Chapter 3-9.1b *Noise* of the Borough Code only when used for emergency purposes, testing or repairs and when outfitted with a working muffler.
8. The exhaust of the generator shall, as much as practically feasible, be vented upwards or directed away from neighboring properties.
9. The generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes. Testing or general exercising of emergency generators is permitted Monday through Sunday only (excluding holidays), between the hours of 8:00 a.m. to dusk

**§ 40-3003-L-4. Application for permit.**

The application for the installation of a generator in accordance herewith, on forms supplied by the Building Department, shall be accompanied by a survey prepared by a licensed land surveyor of the State of New Jersey, showing the property lines of the lot, the location of the building or structure,

the front, side and rear yard dimensions and the proposed location, drawn to scale, of the generator. In the event a gas generator is being proposed, the applicant shall obtain a letter from the supplier confirming that there is adequate gas pressure supplied to the property to handle the generator.

**§ 40-3003-L-5 Application Fee.**

Every application for the installation of a generator to serve a dwelling, building, or other structure shall be in conformance with other applicable Building Department Regulations.

**§ 40-3003-L-6. Inspections required.**

No generator shall be placed in operation, or routinely tested, unless and until inspected and approved by the Roselle Park Building Department.

**§ 40-3003-L-7. Violations and penalties.**

In accordance with violations listed in section 40-3105

**SECTION 2.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**SECTION 3.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 4.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: May 15, 2014

Adopted:

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Mayor

Attest: \_\_\_\_\_  
Borough Clerk