

**ORDINANCE 12-08**

**ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 245 OF THE TOWNSHIP CODE ENTITLED "LAND USE" SO AS TO AMEND §245-3, ENTITLED, "DEFINITIONS" AND § 245-32, ENTITLED, "WIND ENERGY CONVERSION SYSTEM STANDARDS"**

**BE IT ORDAINED**, by the Council of the Township of Brick, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Chapter 245 of the Code of the Township of Brick, entitled, "Land Use", is hereby amended and supplemented so as to amend §245-3, entitled, "Definitions", so as to amend the definition of, "Wind Energy Conversion Systems," which shall read as follows:

**§ 245-3. Definitions.**

**WIND ENERGY CONVERSION SYSTEMS (WECS)** — A combination of the following:

- A. A surface area for capturing the wind.
- B. An assembly for converting the rotational power of the attached surface area into an electrically utilizable form.
- C. A generator or alternator to convert the rotational energy into electrical energy
- D. A tower or other structure upon which the latter three elements are mounted.
- E. A foundation, guying or other supporting structure.

**SECTION 2.** Chapter 245 of the Code of the Township of Brick, entitled, "Land Use", is hereby amended and supplemented so as to amend §245-32, entitled, "Wind energy conversion system standards.", so as to read in its entirety as follows:

§ 245-32. Wind energy conversion system standards. The following standards shall apply to any wind energy conversion system (WECS) in the Township of Brick:

- A. Location. (WECS) shall only be permitted in industrial and business zones in the Township of Brick.
- B. Noise. The maximum noise level permitted appurtenant to the operation of a WECS shall not exceed 65 decibels (dbA scale) as measured at any property line.
- C. Height. The maximum allowable height on any WECS shall be 125 feet as measured from the top of the blade to the ground.
- D. Blade height. The minimum clear distance between the rotating blade in its lowest position and the ground surface below it shall be 15 feet.
- E. Electromagnetic interference. All WECS's shall be properly and adequately filtered or shielded to prevent interference with any television or radio reception or transmission and shall be in compliance with any federal, state or county regulations.
- F. Labeling requirements.
  - (1) All enclosures surrounding any WECS shall be clearly marked with at least two signs within six feet of ground level warning of high voltage. Additionally, the following information shall be clearly posted on the generator or alternator assembly of the WECS:

- (a) The maximum power output of the system and the wind speed at which it is achieved.
  - (b) The nominal voltage and maximum current.
  - (c) Maximum motor revolutions per minute and corresponding wind speed.
  - (d) The manufacturer's name and address, serial number and model number.
- (2) All of the preceding information shall be easily readable from ground level or located at the WECS control panel. Additionally, the maximum survival wind speed for both the dynamic and static conditions and both the normal and emergency shutdown procedures must be listed.
- G. Notification of electric utility company. The Jersey Central Power and Light Company shall be notified, in writing, of any proposed interface of the company's electric distribution grid prior to making application to the Township for zoning and building permits and proof of such notification shall be provided with the permit applications.
- H. Setbacks. All WECSs shall be located on the lot so as to provide the maximum distance between the WECS and existing or proposed residences or buildings on adjoining properties. In no case shall a WECS be located such that a blade in a rotating position would be closer than 10 feet to an adjoining property line.
- I. Governmental approvals. The provisions of this section are subject to approval by any federal, state or County agency, where applicable.

**SECTION 3.** This ordinance shall take effect after second reading and publication as required by law.

PASSED: February 12, 2008  
ADOPTED: March 11, 2008

SIGNED: \_\_\_\_\_  
STEPHEN C. ACROPOLIS  
MAYOR

\_\_\_\_\_  
RUTHANNE SCATURRO  
COUNCIL PRESIDENT

ATTEST: \_\_\_\_\_  
VIRGINIA A. LAMPMAN  
TOWNSHIP CLERK