

ORDINANCE NO. 2026-21

AN ORDINANCE AMENDING CHAPTER 23, “BOARD OF HEALTH REGULATIONS”, BY ADDING SUBSECTION 23-10 “INTENTIONAL RELEASE OF BALLOONS” OF THE CODE OF THE BOROUGH OF KEYPORT

WHEREAS, the Borough of Keyport, the County of Monmouth, State of New Jersey, (hereinafter the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, N.J.S.A. 40:48-2 authorizes the Borough to make, amend, repeal and enforce ordinances it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Borough desires to amend Chapter 23, Board of Health Regulations, of the Borough Code to add subsection 23-10, Intentional Release of Balloons; and

WHEREAS, the Borough desires to amend the Code in accordance with the terms provided for herein; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Borough of Keyport, in the County of Monmouth, State of New Jersey, as follows:

Deletions are indicated by ~~strikethroughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in anyway

SECTION I. Subsection 23-10 in Chapter XXIII, Board of Health Regulations, is hereby added to the Code as follows:

§23-10. Intentional Release of Balloons.

§23-10-1. Purpose.

It is hereby found and declared that it will be the public policy of Borough of Keyport to take action when feasible to reduce the effects of certain products utilized, placed, or released within the environment in order to protect the health and safety of the general public.

§23-10-2. Release of Balloons.

This section is adopted in order to protect the environment, particularly the wildlife, and the health, safety and well-being of persons and property by prohibiting the release of helium balloons into the atmosphere, 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 and may pose a threat to the safety of its inhabitants and their property.

§23-10-3. Prohibited Releases.

It shall be unlawful for any person, firm or corporation to intentionally release, organize the release, or intentionally cause to be released balloons inflated with a gas that is lighter than air within the Borough of Keyport limits, except for:

1. **Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.**
2. **Hot air balloons that are recovered after launching.**
3. **Balloons released indoors.**

§23-10-4. Violations and penalties.

Any person found in violation is guilty of a non-criminal infraction punishable by a fine not to exceed the sum of five hundred (\$500.00) dollars.

SECTION II. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter XXIII of the Code Shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the intentional release of balloons enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

SECTION III. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE INTRODUCED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady		X	X			
Bergen			X			
Kyne			X			
McNamara	X		X			
Merla			X			
Pecora			X			

CERTIFICATION

I, Michele Clark, Borough Clerk, do hereby certify that this is a true copy of the ordinance introduced by the Governing Body of the Borough of Keyport on September 1, 2026.

/s/ Michele Clark

Michele Clark, RMC
Borough Clerk

ORDINANCE ADOPTED						
Councilmember	Offered	Seconded	Aye	Nay	Abstain	Absent
Brady						
Bergen						
Kyne						
McNamara						
Merla						
Pecora						

Introduced: September 1, 2026
Public Hearing: September 15, 2026
Adopted:

Michele Clark, RMC
Borough Clerk

Rose P. Araneo, Mayor
Borough of Keyport