

Manasquan Borough Council Meeting
In- Person at Borough Hall and Virtual Zoom Meeting
August 15, 2022 7 pm

In order to accommodate both in person and virtual meeting requests the Mayor and Council have established a Hybrid Meeting which will include in-person and virtual participation.

IN-PERSON MEETING

The in-person meeting will be held at Borough Hall at the above stated date and time. Masks are optional.

During the meeting, as each Audience Participation Session is reached, the Mayor will announce the opening of the Audience Participation Session. You will stand in front of the public mic and clearly state your name, and full address followed by your question or comment. The Mayor will direct the response to the speaker as applicable. Once this speaker's participation is completed, the Mayor will ask if there is another person interested in commenting. This will continue until no other members of the audience request to be heard and this Session will be formally closed.

Zoom Meeting

This zoom meeting is a courtesy to the public. If the zoom meeting fails or gets disconnected the in-person meeting will continue without the zoom participants.

<https://us06web.zoom.us/j/8830046931> or 1-646-876-9923

ID# 883 004 6931

Participant Instructions
Meeting will be recorded

Instructions:

Join meeting via Zoom video:

- Click on link above or copy and paste into your browser.
- When prompted, enter the ID number provided above.
- You will automatically be put in the waiting room. At 7 pm or shortly thereafter you will be admitted to the meeting. You will automatically be put on mute. You will now be able to hear the meeting.

Join meeting via Zoom dial in (phone):

- Dial the number provided above.
- When prompted, enter the ID number provided above.
- You will automatically be put in the waiting room. At 7 pm or shortly thereafter you will be admitted to the meeting. You will automatically be put on mute. You will now be able to hear the meeting.

Mayor's Instructions

During the meeting, as each Audience Participation Session is reached, the Mayor will announce the opening of the Audience Participation Session.

If you would like to ask a question or make a comment please press *9 to raise your hand in the system if you are on the phone. When the last 4 numbers of your phone number is announced you will be unmuted to speak.

If you are participating via video scroll towards the bottom of the page to participants. This is where you can raise your hand through the system.

You must clearly state your name, and full address followed by your question or comment. The Mayor will direct the response to the speaker as applicable. Once this speaker's participation is completed, the Mayor will ask if there is another person interested in commenting. This will continue until no other members of the audience request to be heard and this Session will be formally closed.

BOROUGH OF MANASQUAN AGENDA
August 15, 2022 7:00 PM

This Regular Meeting of the Mayor and Council of the Borough of Manasquan is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Coast Star, by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough. This agenda is complete to the extent known and formal action will be taken.

Moment of Silent Prayer

Pledge of Allegiance

Roll Call

Audience Participation - Limited to Agenda Items Only (time limit of 5 minutes)

Proclamation

1. International Overdose Awareness Day

Presentation

1. Eagle Scout Project Presentation - Nathaniel Attardi

Consent Agenda: These items will be enacted by one motion. If detailed deliberation is desired on any item, Council may remove that item from the consent agenda and consider it separately.

- [1.](#) 195-2022 Accepting Resignation Code Enforcement Officer - Claudio
- [2.](#) 196-2022 Extending Grace Period for Tax Payments
- [3.](#) 197-2022 Authorizing Mayor to Sign Monmouth Municipal Joint Insurance Fund Renewal
- [4.](#) 198-2022 Adopting Addressing and Protection and Safe Treatment of Minors Policy
- [5.](#) 199-2022 Opposing Proposed Increases to the State Health Benefits Program
- [6.](#) 200-2022 Reimbursement for Redemption of Tax Certificate - BB 316 Investments LLC
- [7.](#) 201-2022 Authorizing Mayor to Sign Dynamic Testing Service Renewal
- [8.](#) 202-2022 Appointing 2022 Seasonal Beach Staff - Various
- [9.](#) 203-2022 Authorizing Mayor to Sign Deferred Compensation Plan Agreement
- [10.](#) 204-2022 Supporting to Increase the Annual Property Tax Deduction for NJ Veterans
- [11.](#) 205-2022 Appointing Stickball Coordinator - Griffith
- [12.](#) 206-2022 Capital Budget Amendment
- [13.](#) 207-2022 Planning Board Resume In-Person Meetings
- [14.](#) 208-2022 Authorizing Mayor to Sign Real Estate Appraisal Proposal for NJDOT TAP Grant - Galiano & Company
- [15.](#) 209-2022 Appointing PT Seasonal Code Enforcement Officer - Barkalow
- [16.](#) 210-2022 Authorizing Clerk to Advertise for Construction Administration and Inspection Costs - NJDOT Streetscapes Project
- [17.](#) 211-2022 Payment of Bills

Ordinances - First Reading

- [1.](#) 2374-22 Amending Chapters 2 & 26 Personnel Titles
- [2.](#) 2375-22 Amending Chapter 13 Establishing Bamboo and Invasive Plants Requirements
- [3.](#) 2376-22 Amending Chapter 28 Swimming Pool Requirements/Chapter 35 Walls and Fences
- [4.](#) 2377-22 Amending Chapter 35 Yard Requirements/Definitions/Principal Buildings/Bulk and Coverage Control
- [5.](#) 2378-22 Establishing Chapter 35-11.9.1 Outdoor Showers
- [6.](#) 2379-22 Amending Chapter 35 Exemptions/Nonconforming Buildings and Conforming Buildings

- [7.](#) 2380-22 Amending Chapter 35 Permitted Signs/Sign Regulations Applicable in All Zones
- [8.](#) 2381-22 Amending Planning Board Rules & Regulations
- [9.](#) 2382-22 Bond Ordinance Amending Ordinance 2372-22 Water/Sewer Infrastructure
- [10.](#) 2383-22 Amending Zoning Map

Committee Reports

Audience Participation On Any Subject (comments limited to 5 minutes)

Adjournment

**BOROUGH OF MANASQUAN
RESOLUTION
195-2022**

BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, in the County of Monmouth, that the resignation of Raymond Claudio as Code Enforcement Officer from the Manasquan Code & Construction Department effective July 19, 2022 be and is hereby accepted.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was adopted by the Borough Council at the August 15, 2022 meeting.

BARBARA I LARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
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TRIGGIANO						
ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
196-2022**

RESOLUTION MEMORIALIZING THE EXTENSION OF THE GRACE PERIOD TO AUGUST 29, 2022 FOR THE AUGUST 1, 2022 TAX QUARTER

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, State Statute provides that the Grace Period must be extended to allow for 25 days from the date of mailing of the tax bills for payments of the August 1, 2022 tax quarter to be made without interest: and

WHEREAS, the Tax Collector has set the last day to pay the August 1, 2022 tax quarter at August 29, 2022 being the next business day after the 25 calendar days from the date the tax bills were mailed; and

WHEREAS, the extension only applies to the August 1, 2022 tax quarter. The normal Borough grace period will apply to all other tax quarters on the bill.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Manasquan, County of Monmouth, State of New Jersey, hereby authorizes that:

The Governing Body of the Borough of Manasquan memorializes the extension of the grace period to August 29, 2022 for the August 1, 2022 tax quarter and recognizes that the normal Borough grace period will apply to all other quarters on the tax bill.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
197-2022**

WHEREAS, the Borough of Manasquan is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the municipality desires to renew said membership.

NOW THEREFORE, be it resolved as follows:

1. The Manasquan Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality’s intention to renew its membership.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the August 15, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
198-2022**

WHEREAS the Borough of Manasquan is desirous of adopting the policy of Addressing the Protection and Safe Treatment of Minors in the Borough of Manasquan; and

NOW, THEREFORE, BE IT RESOLVED on this 15th day of August 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Policy of Addressing the Protection and Safe Treatment of Minors be adopted by the Governing Body.

BE IT FURTHER RESOLVED that a copy of this policy shall be maintained in the Borough Clerk’s Office.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
199-2022**

**Resolution Opposing the Proposed Increases
to the State Health Benefits Program**

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHBP, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Manasquan in the county of Monmouth call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of the Borough of Manasquan in the county of Monmouth urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Bob Singer, Assemblyman Sean Kean, Assemblyman Edward Thomson, and New Jersey State League of Municipalities.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022.

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

BARBARA ILARIA, RMC, CMC
Municipal Clerk

**BOROUGH OF MANASQUAN
RESOLUTION
200-2022**

WHEREAS, N.J.S.A. 54:5 provides for the property owner or a party of interest to redeem a Tax Sale Certificate within a two-year period; and

WHEREAS, the following Tax Sale Certificate has been satisfied,

**Block 82 Lot 56.01 Qual C0002 35 Euclid Ave, LLC % Lubrich
5 Mount Lane Cert#17-00105**

Said redemption monies having been deposited into the Tax Title Lien Redemption Account; and

WHEREAS, the following lienholders are now due reimbursement for the redemption of the Tax Sale Certificate;

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the following lienholders for redemption of said certificate from the Tax Title Lien Redemption Account.

BB 316 INVESTMENTS LLC
PO BOX 953
LAKEWOOD, NJ 08701

REFUND \$30,522.47 + PREMIUM BID \$6,600 TOTAL \$37,122.47

NOW, THEREFORE, BE IT RESOLVED that the Borough Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed Lien Holder.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
201-2022**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to sign the agreement with Dynamic Testing Service to provide drug and alcohol testing to the Borough of Manasquan.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the August 15, 2022, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
202-2022**

WHEREAS, the Borough of Manasquan is desirous of appointing Seasonal Beach Employees for the Summer Season of 2022; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 15th day of August, 2022 appoint the following Seasonal Beach Employees to work the Summer Season, 2022:

Lifeguards:	Hourly Rate
Edward Savoth	\$17.50
Mark Correia	\$17.50
John Shea	\$17.50

Parking Attendant:	
James Blumenstock	\$14.00

Badge Clerk:	
Olivia Gibson	\$12.00
John Waldeyer	\$12.00
Lily Nordell	\$12.00

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
203-2022**

WHEREAS, the Borough of Manasquan previously adopted a Deferred Compensation Plan and Service Agreement provided by Great-West Life & Annuity Insurance Company Plan Id#: 74-PD-GWL-120208 and Service Agreement #: 23-GWL/NPC-SA-E010702 for the purposes of:

- the desire to attract and retain qualified employees;
- the accrual of tax benefits to eligible employees through participation in a Deferred Compensation Plan as established pursuant to *Section 457* of the *Federal Internal Revenue Code*;
- the fact that there is no cost to the local governmental unit to adopt and implement a Deferred Compensation Plan; and
- the implementation of a Deferred Compensation Plan serves the interests of the local governmental unit by enabling it to provide enhanced retirement security to its eligible employees.

WHEREAS, Great-West Life & Annuity Insurance Company has assigned the provision of services to its wholly owned subsidiary, Empower Retirement, LLC, who will continue to provide the same services under an updated Service Agreement. The previously adopted Deferred Compensation Plan remains in full effect and is not being changed.

NOW, THEREFORE BE IT RESOLVED,

Execution of a Service Agreement and Contractor Identified

The Mayor is authorized to execute a Service Agreement with Empower Retirement, LLC, 21-SA-EMPOWER-110121, and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

Local Plan Administrator (N.J.A.C. 5:37-5.4)

The CFO is hereby designated as the Local Plan Administrator for the administration of the Plan.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15th, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
204-2022**

**RESOLUTION SUPPORTING ASSEMBLY CONCURRENT
RESOLUTION NO. 31 INCREASING THE PROPERTY TAX
DEDUCTION FOR VETERANS TO \$1,000.00 AND BASE
FUTURE DEDUCTIONS ON ANNUAL CONSUMER PRICE
INDEX INCREASES**

WHEREAS, Monmouth County is home to a veteran population in the State of New Jersey with over 40,000 Veterans; and

WHEREAS, New Jersey residents suffer from the highest property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey, adopted in 1947, provides a property tax deduction to Veterans who were honorably discharged or released under honorable circumstances from active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide eligible honorably discharged United State Armed Forces Veterans with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced Assembly Concurrent Resolution No. 31 proposing a constitutional amendment to increase the Veterans property tax deduction; and

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

WHEREAS, the Mayor and Council of the Borough of Manasquan supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey veterans.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, State of New Jersey, that we hereby support Assembly Concurrent Resolution No. 31, which would increase the property tax deduction for Veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increases.

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of General Assembly; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities; all County Boards of County Commissioners and the Mayor and Council of all towns within the County of Monmouth.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the August 15, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
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ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
205-2022**

WHEREAS, the Borough of Manasquan is desirous of appointing Manasquan Recreation Referees for the 2022 Recreation Manasquan Stickball League; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 15th day of August, 2022 appoint the following to work during 2022 Recreation summer season:

Stickball Coordinator:

Austin Griffith \$14.00 per hour

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

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ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

BOROUGH OF MANASQAUN
 RESOLUTION 206-2022
 CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2022 was approved on the 13th day of June, 2022; and,
 WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan, County of Monmouth, that the following amendment to the adopted capital budget section of 2022 Budget be made:

Recorded Vote (Insert last names)	(Ayes ((Nays ((Abstain ((
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FROM
 CAPITAL BUDGET (Current Year Action)
2022

PLANNED FUNDING SOURCES FOR CURRENT YEAR 2022

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5 (a) 2022 Budget Appropriations	5 (b) Capital Improvement Fund	5 (c) Capital Surplus	5 (d) Grants in Aid and Other Funds	5 (e) Debt Authorized	6 TO BE FUNDED IN FUTURE YEARS
Water & Sewer Capital Fund:									
Infrastructure Improvements	13	550,000.00	.	.	.	.	.	500,000.00	.
TOTAL ALL PROJECTS		<u>\$9,319,500.00</u>	<u>10,000.00</u>	<u>569,500.00</u>	<u>185,000.00</u>	<u>.00</u>	<u>.00</u>	<u>7,005,000.00</u>	<u>1,550,000.00</u>

3 YEAR CAPITAL PROGRAM 2022 - 2024
 Anticipated PROJECT Schedule
 And Funding Requirement

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	FUNDING AMOUNTS PER BUDGET YEAR		
				5 (a) <u>2022</u>	5 (b) <u>2023</u>	5 (c) <u>2024</u>
Water & Sewer Capital Fund: Infrastructure Improvements	13	550,000.00	End of Year	550,000.00	.	.
TOTAL ALL PROJECTS		<u>\$9,319,500.00</u>		<u>7,769,500.00</u>	<u>1,275,000.00</u>	<u>275,000.00</u>

3 YEAR CAPITAL PROGRAM 2022 - 2024
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7(a) General	BONDS AND NOTES		
		Current YEAR <u>2022</u>	Future Years					7(b) Self Liquidating	7(c) Assessment	7(d) School
Water & Sewer Capital Fund: Infrastructure Improvements	<u>550,000.00</u>	.	.	.	.	.	.	<u>550,000.00</u>	.	.
TOTAL ALL PROJECTS	<u>\$9,319,500.00</u>	<u>569,500.00</u>	<u>550,000.00</u>	<u>195,000.00</u>	<u>.00</u>	<u>.00</u>	<u>3,705,000.00</u>	<u>4,300,000.00</u>	<u>.00</u>	<u>.00</u>

TO
CAPITAL BUDGET (Current Year Action)
2022

PLANNED FUNDING SOURCES FOR CURRENT YEAR 2022

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5(a) 2022 Budget Appropriations	5(b) Capital Improvement Fund	5(c) Capital Surplus	5(d) Grants in Aid and Other Funds	5(e) Debt Authorized	6 TO BE FUNDED IN FUTURE YEARS
Water & Sewer Capital Fund: Infrastructure Improvements	13	<u>1,300,000.00</u>	.	.	.	.	.	<u>1,300,000.00</u>	.
TOTAL ALL PROJECTS		<u>\$10,069,500.00</u>	<u>10,000.00</u>	<u>569,500.00</u>	<u>185,000.00</u>	<u>.00</u>	<u>.00</u>	<u>7,755,000.00</u>	<u>1,550,000.00</u>

3 YEAR CAPITAL PROGRAM 2022 - 2024
 Anticipated PROJECT Schedule
 And Funding Requirement

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	FUNDING AMOUNTS PER BUDGET YEAR		
				5 (a) <u>2022</u>	5 (b) <u>2023</u>	5 (c) <u>2024</u>
Water & Sewer Capital Fund:						
Infrastructure Improvements	13	<u>1,300,000.00</u>	End of Year	<u>1,300,000.00</u>	.	.
TOTAL ALL PROJECTS		<u>\$10,069,500.00</u>		<u>8,519,500.00</u>	<u>1,275,000.00</u>	<u>275,000.00</u>

3 YEAR CAPITAL PROGRAM 2022 - 2024
 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	3 Budget Appropriations			4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	BONDS AND NOTES			
	2 Estimated TOTAL COST	Current YEAR <u>2022</u>	Future Years				7 (a) General	7 (b) Self Liquidating	7 (c) Assessment	7 (d) School
Water & Sewer Capital Fund:										
Infrastructure Improvements	<u>1,300,000.00</u>	.	.	.	.	.	.	<u>1,300,000.00</u>	.	.
TOTAL ALL PROJECTS	<u>\$10,069,500.00</u>	<u>569,500.00</u>	<u>550,000.00</u>	<u>195,000.00</u>	<u>.00</u>	<u>.00</u>	<u>3,705,000.00</u>	<u>5,050,000.00</u>	<u>.00</u>	<u>.00</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services. It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 15th day August, 2022.

Certified by me

 (Date)

TRENTON, NEW JERSEY

APPROVED _____, _____

 DIRECTOR OF LOCAL GOVERNMENT SERVICES

 Municipal Clerk - Barbara Ilaria

**BOROUGH OF MANASQUAN
RESOLUTION
207-2022**

WHEREAS the Borough of Manasquan Planning Board currently conducts its meetings via a virtual electronic format and has done so since the outbreak of the COVID 19; and

WHEREAS, the Borough of Manasquan Mayor and Council is desirous of having the Planning Board meetings return to an in-person format; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, New Jersey that the Manasquan Planning Board shall resume in-person meetings starting October 1, 2022, using the following process:

1. All Planning Board meetings shall be attended in person by the Planning Board Attorney, the Planning Board Engineer, and a quorum of Planning Board members such that any and all matters being heard can be voted on upon conclusion of the hearing. A quorum of Planning Board members shall be established independent of the presence of the Class I (Mayor), Class II (Appointed Official) and Class III (Council Liaison).
2. When deemed feasible by the Planning Board, members of the general public will be afforded the opportunity to attend Planning Board meetings via Zoom or some other virtual interactive platform. However, the Planning Board member professionals and members that make up the quorum must attend in person.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the August 15, 2022 meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA <u> </u> YES <u> </u> NO						

**BOROUGH OF MANASQUAN
RESOLUTION
208-2022**

WHEREAS, the Borough is the recipient of a Federal Transportation Alternatives Program grant (TAP Grant) from the New Jersey Department of Transportation (NJDOT); and

WHEREAS, the TAP Grant/NJDOT Right of Way Acquisition Manual requires that the Borough retain a real estate appraisal firm to review the appraisals of the properties from which right of way easements and construction easements will be required; and

WHEREAS, the Borough sought quotes from various appraisal firms to perform this service.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan that Edward G. Donovan, Mayor of the Borough of Manasquan, be and is hereby authorized to execute Proposal for Appraisal Services submitted by Gagliano & Company, 287 Rumson Road, Little Silver, NJ 07739 to perform the necessary appraisal reviews associated with the listed project.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at the August 15, 2022, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA ____ YES ____ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
209-2022**

**RESOLUTION OF THE BOROUGH COUNCIL OF
THE BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, NEW JERSEY, APPOINTING
KAYLA BARKALOW AS PART TIME SEASONAL
CODE ENFORCEMENT OFFICER**

WHEREAS, the Borough of Manasquan is in need of a Part Time Seasonal Code Enforcement Officer; and

WHEREAS, after the execution of the Borough hiring process, Kayla Barkalow has been identified by the assigned hiring team as the recommended candidate for this position.

NOW, THEREFORE BE IT RESOLVED on the 15th day of August 2022, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Kayla Barkalow is appointed to Part-Time Seasonal Code Enforcement Officer.
2. Hourly rate of \$25.00.
3. The effective date of this appointment is September 6, 2022.
4. A certified copy of this resolution shall be sent to :

Kayla Barkalow
15 Andrew Street
Howell, NJ 07731

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, Monmouth County, New Jersey, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Borough Council at their regular meeting held on August 15, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA YES NO						

**BOROUGH OF MANASQUAN
RESOLUTION
210-2022**

WHEREAS, the NJDOT has agreed to fund the Construction Administration and Inspection costs associated with the NJ Transportation Alternative Program Streetscapes Project; and

WHEREAS, the Borough must comply procedurally with the federal Brooks Act when seeking requests for proposal from qualified vendors for this element of the project;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan that the Municipal Clerk is authorized to follow the Brooks Act and advertise for Requests For Proposals for Construction Administration and Inspection for the Streetscapes project.

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the August 15, 2022, meeting.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA ___ YES ___ NO						

**BOROUGH OF MANASQUAN
RESOLUTION
211-2022**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

Current Fund	\$141,769.26
General Capital	\$48,542.01
Water/Sewer Fund	\$89,506.77
Water/Sewer Capital	\$33,759.53
Beach Fund	\$32,596.23
Beach Capital	\$40,148.51
Grants	\$1,591.45
Recreation Trust	\$45,502.91
Misc Trust	\$10,373.23
Animal Control Trust	\$1,833.33

CERTIFICATION

I, Barbara Ilaria, Municipal Clerk, Borough of Manasquan, County of Monmouth, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Council at their regular meeting on August 15, 2022.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

COUNCIL	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
HOLLY						
LEE						
MANGAN						
OLIVERA						
READ						
TRIGGIANO						
ON CONSENT AGENDA <input type="checkbox"/> YES <input type="checkbox"/> NO						

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2374-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2 (ADMINISTRATION) SECTION 2-19.4
(SUPERINTENDENT RECREATION) AND CHAPTER
26 (PERSONNEL) SECTION 26-53 THROUGH 26-65
(ADDITIONAL POSITION CREATED) CREATING
NEW SECTION 26-53 THROUGH 26-65 OF THE
BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the revised General Ordinance of the Borough of Manasquan, County of Monmouth, is desirous of amending and supplementing Chapter 2 Section 2-19.4 and Chapter 26 Section 26-53 through 26-65 in creating the below listed positions.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 2 Section 2-19.4 is hereby amended to read as follows:

**2-19.4 SUPERINTENDENT OF RECREATION
(RECREATION DIRECTOR)**

- a. The position of Superintendent of Recreation (also known as Recreation Director)
- b. The person employed in this position shall work under the direction of the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct, including those listed below.
- c. The responsibilities of the Superintendent of Recreation/Recreation Director shall include:
 1. Administrative and Finance Elements
 - (a) Routine interface with and formal reporting to the Council and volunteer recreation committees shall take place periodically. Reporting topics shall include recreation related finances, profit and loss, participant status and budget analysis.
 - (b) Ensuring that the recreation grounds and facilities “use permit” process is properly administered.
 - (c) Overseeing all fund-raising efforts.
 2. Grounds and Facilities Maintenance
 - (a) Coordinating with the Department of Public Works to ensure grounds and facilities are properly maintained.
 3. Recreation Technology Mastery
 - (a) Developing and maintaining mastery of all recreation-related technology including Community Pass, Edmunds, Excel, PowerPoint, Instagram, Facebook and other related technology.
 4. Program Supervision
 - (a) Oversight of event promotion including community and special events and public-private partnerships.
 - (b) Development, dissemination, collection, analysis and reporting the results of program-related surveys.
 5. Supervision and Oversight of Recreation Staff; Hiring; Volunteer Recruiting
 - (a) Direct supervision of the Recreation Supervisor (known internally as the Asst. Recreation Director) and the Public Information Assistant (known internally as the Recreation Social Media Coordinator).
 - (b) Conduct of regular meetings with staff (to include pre-drafting of agendas and recording of meeting minutes) and reporting the results of these meetings to the Council Recreation Committee.

- (c) Coordinating with the Borough Personnel Director to administer staff hiring, onboarding, training, evaluation, etc.; coordinating with the Borough Personnel Officer to recruit volunteers.
- 6. Volunteer Recreation Committee and Community Outreach
 - (a) Scheduling, coordinating and presiding over periodic Volunteer Recreation Committee meetings ensuring communication to and from the Volunteer Recreation Committee to the Council Recreation Committee takes place.
 - (b) Ensuring that volunteer appreciation measures are maintained.
 - (c) Ensure that the recreation sign board is kept up to date.

Section 2: Chapter 26 Section 26-53 through 26-65 is hereby amended to read as follows:

26-53 DEPUTY ADMINISTRATOR

- a. The position of Deputy Administrator is hereby created.
- b. The person employed in this position shall assist the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct.

26-54 PERSONNEL OFFICER

- a. The position of Personnel Officer is hereby created.
- b. The person employed in this position shall work under the direction of the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct.

26-55 DEPUTY MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR

- a. The position of Deputy Municipal Emergency Management Coordinator is hereby created.
- b. The person employed in this position shall work under the direction of the Municipal Emergency Management Coordinator and shall perform such duties as the Mayor and Council or Municipal Administrator may from time to time direct.

26-56 CONSTRUCTION INSPECTOR

- a. The position of Construction Inspector is hereby created.
- b. The person employed in this position shall work under the direction of the Construction Official and shall perform such duties as the Mayor and Council or Municipal Administrator may from time to time direct.

26-57 TECHNICAL ASSISTANT TO CONSTRUCTION OFFICIAL

- a. The position of Technical Assistant to Construction Official is hereby created.
- b. The person employed in this position shall work under the direction of the Construction Official and shall perform such duties as the Mayor and Council or Municipal Administrator may from time to time direct.

26-58 RECORDS SUPPORT TECHNICIAN

- a. The position of Records Support Technician is hereby created.
- b. The person employed in this position shall work under the supervision/direction of the Chief of Police and the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct.

26-59 ADMINISTRATIVE CLERK

- a. The position of Administrative Clerk is hereby created.

- b. The person employed in this position shall assist the Department Head and the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct.

26-60 MUNICIPAL RECYCLING COORDINATOR

- a. The position of Municipal Recycling Coordinator is hereby created.
- b. The person employed in this position shall work under the direction of the Superintendent of Public Works and the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct.

**26-61 RECREATION SUPERVISOR
(ASSISTANT RECREATION DIRECTOR)**

- a. The position of Recreation Supervisor is hereby created, (also known as the “Assistant Recreation Director”).
- b. The person employed in this position shall work under the supervision of the Superintendent of Recreation (Recreation Director) and the Municipal Administrator and the duties of the position shall include, but are not limited to the following:
 - 1. Recreation Core Programs
 - (a) Supervision and oversight of all “core” programs as designated by the Recreation Director. Such supervision shall include oversight of program participant drafts, equipment and supply procurement, program and staff scheduling, and related actions as necessary.
 - 2. Public Private Partnerships
 - (a) Oversight of all public-private partnership operations.
 - 3. Assist the Superintendent of Recreation (Recreation Director)
 - (a) Assist the Recreation Director with Recreation Department tasks to include new program implementation, community and special event planning and operations, website maintenance, Community Pass operations, public communication accuracy and timeliness, etc.

**26-62 PUBLIC INFORMATION ASSISTANT
(RECREATION SOCIAL MEDIA COORDINATOR)**

- a. The position of Public Information Personnel (also known as the “Recreation Social Media Coordinator”) is hereby created.
- b. The person employed in this position shall work under the supervision of the Superintendent of Recreation (Recreation Director) and the Municipal Administrator and the duties of the position shall include, but are not limited to the following:
 - 1. Social Media
 - (a) Master and exploit various social media platforms (Website, Facebook, Instagram, etc.)
 - (b) Develop and launch marketing campaigns and advertising strategies for all Borough recreation programs.
 - (c) Create and maintain an electronic “imagery library” to support and enhance future marketing campaigns.
 - 2. Online Community Interaction
 - (a) Work to attract and cultivate a vibrant recreation related interactive online community.
 - (b) Assist the Superintendent of Recreation (Recreation Director) and supervision team with Community Pass platform when necessary.
 - (c) Respond to program related online posts, comments, concerns, etc.
 - (d) Work with the Superintendent of Recreation/Recreation Director to ensure proper review and analysis of all relevant recreation program information is conducted and properly exploited.
 - 3. Recreation Core Program Enhancement
 - (a) Work with the Recreation Program “core program” coordinators, sharing images, news, highlights, etc. from these programs on social media platforms to advertise their popularity and encourage participation.

4. Public Private Partnership Enhancement
 - (a) Work with the Recreation Department public-private program providers, sharing images, news, highlights, etc. from the programs on social media platforms to advertise popularity and encourage participation.
5. Cross-Promotion with Civic Organizations
 - (a) Shall work to cross-promote town-wide activities with such local civic organizations as the Friends of Manasquan, LLC, Manasquan Tourism Commission, Manasquan Chamber of Commerce, Manasquan public schools, etc.
6. Assist the Superintendent of Recreation (Recreation Director) and Recreation Department team with larger recreation events (Big Sea Day, Inlet Tug, etc.).

**26-63 ASSISTANT RECREATION SUPERVISOR
(RECREATION PROGRAM COORDINATOR)**

- a. The position of Assistant Recreation Supervisor (also known as Recreation Program Coordinator) is hereby created.
- b. The person employed in this position shall work under the supervision of the Recreation Supervisor (Assistant Recreation Director), Superintendent of Recreation (Recreation Director) and the Municipal Administrator.

26-64 ADA COMPLIANCE OFFICER (STATE REQUIRED)

- a. The position of ADA Compliance Officer is hereby created under the Americans with Disabilities Act of 1990(ADA), including changes made by the ADA Amendments Act of 2008 (P.L. 110-325)
- b. The person employed in this position shall work under the direction of the Municipal Administrator and shall perform such duties as the Mayor and Council may from time to time direct.

Section 3: Construction and Effective Dates

- a. Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provision so held invalid shall be inseparable from the remainder of any such section or provision.
- b. Chapter 97, et. seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- c. This Ordinance shall become effective following the final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2374-22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 6th day of September 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 south
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: September 5, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2375-22**

**ORDINANCE AMENDING CHAPTER 13 (PROPERTY
MAINTENANCE) AND ESTABLISHING SECTION 13-7
(BAMBOO AND INVASIVE PLANTS) OF THE
BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Chapter 13 refers to Property Maintenance; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of establishing certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 13-7 refers to Bamboo and Invasive Plants of the revised general ordinances of the Borough of Manasquan is hereby established as follows:

13-7.1 No Planting of Running Bamboo or Invasive Plants

- A. The in-ground planting of Running Bamboo or Invasive Plants is prohibited in the Borough of Manasquan.
- B. Invasive Plants shall mean all native and non-native vines and vegetation that, by their nature: (i) grow beyond the borders of the property of initial planting or cultivation; (ii) are competitive, persistent, and pernicious; and (iii) cause a neighboring property owner or the Borough potential hardship due to the vegetation being overly competitive, poisonous, allergenic, illegal by State statute, or hazardous to the neighboring property's trees, vegetation, structures and facilities. Examples of Invasive Plants shall include but are not limited to the following plant genera: Bamboo (clumping, spreading or running type), Ragweed (ambrosia), Poison ivy (rhus radicans), Poison oak (toxicondendron vernix), Tree of heaven (Alianthus altissima), Garlic mustard (Alliaria petiolate), Japanese knotweed (Polygonum caspidatum), Mile-a-minute (Polygonum Perfoliatum), Multi flora rose (Rosa multiflora), Kudzu (Pueraria montana), and Porcelain berry (Ampelopsis brevipedunculata), and shall include the plant, and any cutting, flower, seed, root, other plant part, or cultivar therefrom.
- C. Regulation of and Limitations on Existing Invasive Plants.
 - 1. All property owners must control the growth of invasive plants on their property. Failure to control the significant spread of such vegetation beyond the boundaries of any property within the Borough is a violation of this section.
 - 2. All existing plantings must be contained by appropriate physical barriers to prevent growth or spread of existing invasive species beyond the boundaries of a resident's property.
 - 3. Spread is significant when the plant's roots grow beyond the boundaries of a property owner's yard or take over or invade a neighbor's fencing, plants or other landscaping.
- D. Removal of Invasive Species.

1. In the event Invasive Species Plant(s) are present on any plot of land, or any other premises or place in the Borough and a complaint is received by the Borough regarding an encroachment of any Invasive Species Plant and the Borough Code Enforcement Inspector, after observation and/or inspection, determines that there is an encroachment or invasion of an Invasive Species Plant on any adjoining/neighborhood private or public property or public right-of-way, the Borough shall serve notice to the Invasive Species Plant property owner, in writing, to remove or abate the violation within such time as shall be specified in such notice.
2. The cost of abatement shall be borne by the Invasive Species Plant property owner. If the owner fails to comply with such notice within the time period specified herein, the Borough may remove or otherwise control the invasive plant species and the Borough may thereafter recover the cost of such removal from the property owner and place a lien on the property to recover the cost of said removal.

E. Regulation of and Limitations on Existing Running Bamboo.

1. In the event any species commonly known as "Running Bamboo" is located upon any property within the Borough of Manasquan, prior to the effective date of this prohibition, the owner and occupant of said property shall jointly and severally be required to confine such species to prevent encroachment, spread, invasion or intrusion of same onto any other private or public property or public right-of-way. In lieu of confining the species, the property owner or occupant may elect to totally remove the bamboo from the property. Failure to properly confine such bamboo shall require removal as set forth below. The cost of said removal shall be at the bamboo property owner's expense.

F. Removal of Running Bamboo

1. Whenever running bamboo, as defined by this Chapter, is found on any plot of land, lot or any other premises or place, as is found to lack appropriate physical barriers to prevent the spread or growth of the species, or is found to have spread beyond the boundaries of a property, violations shall be given to the owner of the property from which the invasive species have spread, in writing, to remove or abate the same within thirty days. The cost of all remedies, including the removal of plantings of invasive plants, shall be borne by the property owner.

G. Penalty.

1. Any person violating the provisions of this Chapter shall, upon conviction, be punished by a fine or not more than \$2,000.00, or community service, as determined by the Municipal Court of the Borough of Manasquan. A continuation of such violation for each successive day shall constitute a separate offense and the person or persons allowing or permitting the continuation of such violation will be punished as provided above for each separate offense.

Section 2: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2375-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2376-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 28 (STORMWATER REGULATIONS),
SECTION 28-1.2 (APPLICABILITY) AND SECTION 28-
1.3 (GENERAL REGULATIONS), AND CHAPTER 35
(ZONING), SECTION 35-7.5 (WALLS AND FENCES)
OF THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 28-1.2 refers to Applicability, Section 28-1.3 refers to General Regulations and Section 35-7.5 refers to Walls and Fences; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 28-1.2 refers to Applicability of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

This section applies to all new construction or development, the expansion of an existing building footprint by more than 500 square feet, because such improvements impact water runoff to neighboring properties, public streets and storm drains, and displacement of ground water.

Section 2: Section 28-1.3 refers to General Regulations of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

The general regulations established by this section are as follows:

- a. No sump pump outlet shall drain or be pumped directly or indirectly onto a sidewalk or public street. A sump pump outlet must be terminated within the area of the lot on which it is located.
- b. Irrigation sprinklers shall not discharge water onto a public street.
- c. Curbs and driveway aprons shall be constructed pursuant to Section 20-3 of Chapter 20 (Streets and Sidewalks).
- d. Concrete, asphalt and paver driveways must be crowned to direct the flow of stormwater onto the lot on which the improvements are constructed. There shall be no curb reveal at the edges of a driveway.
- e. The lot must be graded so that stormwater does not flow onto neighboring properties.
- f. Water from a gutter, downspout or sump pump must be piped directly into a drywell or seepage pit installed on the lot, except that this provision shall not apply to properties in the R-4 Zone. The drywell or seepage pit must be constructed to meet the following criteria:

1. The drywell or seepage pit system shall be designated to contain stormwater runoff from one inch of precipitation in a twenty-four-hour period.
 2. No such water shall enter the municipal sanitary sewer system.
- g. All drainage plans to demonstrate compliance with the requirements of this section must be submitted to the Zoning Officer prior to the issuance of a construction permit.

Section 3: Section 35-7.5 refers to Walls and Fences of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. No wall/fence shall be erected, maintained or planted to a height greater than six feet above the existing grade of the property, provided that the same is more than 25 feet from any street line. No wall/fence shall be erected, maintained or planted to a height greater than four feet within 25 feet of any street line.
- b. No fence/wall shall be erected, maintained or equipped with or having barbed wire, spikes, broken glass, sharp or dangerous devices or any electrical charge sufficient to cause a shock, except that business and public properties within the Borough may be enclosed with fences having barbed wire barriers, provided that all such barbed wire is kept at least six feet above ground level.
- c. The finished side of any fence shall face the outside of the property it encloses.
- d. No wall/fence shall be erected, maintained or planted on any lot which unreasonably obstructs or interferes with traffic visibility on a curve or at any street intersection.
- e. No fence/wall shall be constructed unless the owner or the person in possession of the lands on which the fence is to be constructed shall first obtain a zoning permit from the Zoning Officer prior to the commencement of construction. An application for the permit must be submitted in writing to the Zoning Officer, together with a plan, and must be accompanied by a fee in the amount as stated in Chapter 16, Fees.
- f. No fence/wall shall be erected, maintained or planted in the front yard on property located in the R-4 Beachfront One Family Residential Zone. A fence not more than six feet in height may be located in the side and rear yards provided the fence does not extend beyond the front of the building line of the adjacent properties. A solid fence is prohibited.

Section 4: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2376-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

BOROUGH OF MANASQUAN

ORDINANCE NO. 2376-22

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 28 (STORMWATER REGULATIONS),
SECTION 28-1.2 (APPLICABILITY) AND SECTION 28-
1.3 (GENERAL REGULATIONS), AND CHAPTER 35
(ZONING), SECTION 35-7.5 (WALLS AND FENCES) OF
THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 28-1.2 refers to Applicability, Section 28-1.3 refers to General Regulations and Section 35-7.5 refers to Walls and Fences; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 28-1.2 refers to Applicability of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

This section applies to all new construction or development, the expansion of an existing building footprint by more than 500 square feet, because such improvements impact water runoff to neighboring properties, public streets and storm drains, and displacement of ground water.

Section 2: Section 28-1.3 refers to General Regulations of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

The general regulations established by this section are as follows:

- a. No sump pump outlet shall drain or be pumped directly or indirectly onto a sidewalk or public street. A sump pump outlet must be terminated within the area of the lot on which it is located.
- b. Irrigation sprinklers shall not discharge water onto a public street.
- c. Curbs and driveway aprons shall be constructed pursuant to Section 20-3 of Chapter 20 (Streets and Sidewalks).
- d. Concrete, asphalt and paver driveways must be crowned to direct the flow of stormwater onto the lot on which the improvements are constructed. There shall be no curb reveal at the edges of a driveway.
- e. The lot must be graded so that stormwater does not flow onto neighboring properties.
- f. Water from a gutter, downspout or sump pump must be piped directly into a drywell or seepage pit installed on the lot, except that this provision shall not apply to properties in the R-4 Zone. The drywell or seepage pit must be constructed to meet the following criteria:

1. The drywell or seepage pit system shall be designated to contain stormwater runoff from one inch of precipitation in a twenty-four-hour period.
 2. No such water shall enter the municipal sanitary sewer system.
- g. All drainage plans to demonstrate compliance with the requirements of this section must be submitted to the Zoning Officer prior to the issuance of a construction permit.

Section 3: Section 35-7.5 refers to Walls and Fences of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. No wall/fence shall be erected, maintained or planted to a height greater than six feet above the existing grade of the property, provided that the same is more than 25 feet from any street line. No wall/fence shall be erected, maintained or planted to a height greater than four feet within 25 feet of any street line.
- b. No fence/wall shall be erected, maintained or equipped with or having barbed wire, spikes, broken glass, sharp or dangerous devices or any electrical charge sufficient to cause a shock, except that business and public properties within the Borough may be enclosed with fences having barbed wire barriers, provided that all such barbed wire is kept at least six feet above ground level.
- c. The finished side of any fence shall face the outside of the property it encloses.
- d. No wall/fence shall be erected, maintained or planted on any lot which unreasonably obstructs or interferes with traffic visibility on a curve or at any street intersection.
- e. No fence/wall shall be constructed unless the owner or the person in possession of the lands on which the fence is to be constructed shall first obtain a zoning permit from the Zoning Officer prior to the commencement of construction. An application for the permit must be submitted in writing to the Zoning Officer, together with a plan, and must be accompanied by a fee in the amount as stated in Chapter 16, Fees.
- f. No fence/wall shall be erected, maintained or planted in the front yard on property located in the R-4 Beachfront One Family Residential Zone. A fence not more than six feet in height may be located in the side and rear yards provided the fence does not extend beyond the front of the building line of the adjacent properties. A solid fence is prohibited.

Section 4: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2376-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

BARBARA ILARIA, RMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

Edward G. Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2377-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 35 (ZONING), SECTION 35-11.8
(ADDITIONAL LOT, HEIGHT AND YARD
REQUIREMENTS), SECTION 35-3.1 (DEFINITIONS),
SECTION 35-11.2 (PRINCIPAL BUILDINGS),
SCHEDULE 1, ATTACHMENT 1:2 (ZONING
SCHEDULE OF BULK AND COVERAGE CONTROLS)
AND SECTION 35-11.6 (SWIMMING POOLS) OF THE
BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 35-11.8 refers to Additional Lot, Height and Yard Requirements, Section 35-3.1 refers to Definitions, Section 35-11.2 refers to Principal buildings, Schedule 1, Attachment 1:2 refers to Zoning Schedule of Bulk and Coverage Controls, and Section 35-11.6 refers to Swimming Pools; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: 35-11.8 refers to Additional Lot, Height and Yard Requirements of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. No deck shall be constructed above the highest finished floor of any building or structure;
- b. A widow's walk having a maximum floor area of 50 square feet is permitted provided that it is uncovered and that the sole access to the widow's walk is from within the interior of the building;
- c. No steps, stairs, entry porch, platform, landing, shower enclosure, standby generators, pool equipment, air conditioning condensing units, or mechanical equipment shall be constructed, located or maintained in any required side yard setback area. Note: Standby generators must be screened so that it is not visible from the adjacent properties. Note: Outdoor showers are prohibited in the front yard. Refer to Section 35-11.9.1.;
- d. An uncovered and unscreened entry porch, platform or landing leading to a basement, cellar or first floor which is not more than five feet wide may project not more than three feet (not including steps) into the required front or rear yard setback area, provided the floor of the porch is within three feet of ground level;
- e. Entry steps or stairs may be located in the required front and rear setback areas;
- f. An open terrace, deck or patio, but not including a roofed over porch or terrace and not more than three feet above the surrounding grade may be located in the front yard provided that the unoccupied portion of the front yard has a depth of at least 10 feet;
- g. A one-story bay window may project into a front yard not more than three feet;

- h. Roof overhangs and chimneys may project not more than 18 inches into the required side setback area;
- i. For existing residential principal buildings located in Flood Hazard Zones V and A as reflected on the most current FEMA Flood Insurance Rate Map (FIRM) as released on December 15, 2012, steps and/or stairs required to be extended as a result of the building being raised shall be permitted to extend into any required front, rear or side yard setback, but not into the public right-of-way. For new residential construction located in Flood Hazard Zones V and A as reflected on the most current FEMA Flood Insurance Rate Map (FIRM) as released on December 15, 2012, steps and/or stairs may be located in the front and rear setback areas;
- j. Ground level decks, freestanding decks and/or patios more than 8 inches above the surrounding grade must be setback a minimum of 5 feet from the side property lines on interior lots. On corner lots, the deck or patio must meet the side setback for the principal building. The deck or patio must conform to the rear setback line of the principal building;
- k. Notwithstanding the provisions of Subsections a and f above, residential principal buildings located in Flood Hazard Zones V and A as reflected on the most current FEMA Flood Insurance Rate Map (FIRM), as released on December 12, 2012, may construct first-floor decks in the front and rear yards at a height not to exceed the level of the first floor of the structure.
- l. Maximum building height for all garage apartment buildings facing First Avenue in Flood Hazard Zone V as reflected on the most current FEMA Flood Insurance Rate Map (FIRM) as released on December 15, 2012, shall be in accordance with § 35-9.4.

Section 2: Section 35-3.1 refers to Definitions of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

BUILDING HEIGHT

The vertical distance from the reference datum to the highest point of the structure. (a) single frontage or corner properties — height shall be measured from the top of the curb or in the absence of the curb from the crown of the road or in the absence of a road with a crown, then from the average of the grades at the center of each street front (or the monumented borough beach walk in the case of structures contiguous to the beachfront). (b) properties with opposite frontages — heights from the lot midpoint to the respective right-of-way line shall be measured from the top of the curb or in the absence of a curb from the crown of the road or in the absence of a road with a crown, then from the grade at the center of the street front or the monumented Borough beach walk in the case of structures contiguous to the beachfront. A decorative cupola not more than 3 feet by 3 feet may be added to the roof of a single-family dwelling.

CUPOLA

A small dome like structure on the roof of a building or structure and designed to provide ventilation and/or decoration. Maximum dimension of 3 feet by 3 feet.

DORMER

A projection from a roof that contains a window which shall not exceed 10 feet in length measured along the fascia and is set back a minimum of two feet from the exterior vertical building wall beneath the dormer. In the R-4 Zone, no dormer shall exceed ten (10) feet in length measured along the fascia.

FLAG LOT

A lot not meeting the minimum frontage requirements and where access to the public road is provided by a narrower extension of the lot encompassing a driveway or by private right-of-way easement.

GARAGE, PRIVATE

A structure that is an accessory to the principal building and that is used for the storage of motor vehicles and in which no occupation, business or service for profit is carried on. A portion of a garage not to exceed 50% may be used as a pool house etc. to include a kitchen, bath, bar and changing area. The remaining portion of the garage must be used for parking of a vehicle or for storage.

MOTHER/DAUGHTER HOUSING

A single-family dwelling that offers a semi-independent living space within the principal dwelling unit for a parent(s). The living space must be located within the principal dwelling and can only be accessed through the existing dwelling and not by a separate entrance. A fully independent dwelling unit is not permitted.

Section 3: Section 35-11.2 refers to Principal Buildings of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. Only one principal building shall be permitted on each lot, except in conjunction with townhouse and planned multi-family residential development.
- b. Two principal buildings shall be permitted on a lot in the R-4 Beachfront One-Family Residential Zone provided that:
 1. A garage with a second floor living unit shall front on First Avenue and a single-family residential dwelling shall front on the beachfront.
 2. The minimum lot width shall be 30 feet.
 3. The minimum lot area shall be 4,200 square feet.
 4. The building facing the beachfront shall be set back a minimum distance of fifteen (15) feet from the front property line.
 5. The garage apartment building facing First Avenue shall be set back a minimum distance of 10 feet from that property line.
 6. The two buildings shall be separated a minimum distance of 35 feet from the building or attached deck, whichever is closer.
 7. The maximum height of the garage apartment building facing First Avenue shall be 32 feet.
 8. The maximum height of the single-family dwelling facing the beachfront shall be 38 feet for conforming lots and 33 feet for nonconforming lots.
 9. The first-floor garage area of the building facing First Avenue shall provide an interior parking area for at least two motor vehicles. Any excess first floor area may be used for storage purposes, except vertical access to the second floor; provided, however, no living area is permitted on the first-floor garage area.
 10. The garage apartment building facing First Avenue shall have a walkway, with a minimum width of three feet, to provide access to the beachfront.
 11. Each building shall be serviced by separate water and sewer lines.
 12. No single dormer shall exceed 10 feet in length measured along the fascia.
 13. All dormers, except stairwell and/or elevator dormers must be stepped back a minimum of two feet from the exterior wall beneath it.
 14. A half-story must comply with the requirements outlined in § **35-3**.
 15. The property shall comply with all other standards applicable in the R-4 Zone.

Section 4: Section 35-11.6 refers to Swimming Pools of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

A swimming pool or wading pool must be located in the rear yard only. The pool must be setback a minimum of 10 feet from the side and rear property lines on interior lots. On a corner lot, the pool must be setback to meet the minimum side setback for the principal building.

Notwithstanding the above provision, any temporary wading pool, which is not more than 12 inches in depth, may be located in the front yard provided that the pool is emptied daily no later than 7 p.m. and not filled before 9 a.m.

Section 5: Schedule 1, Attachment 1:2 refers to Zoning Schedule of Bulk and Coverage Controls of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. Aggregate depth of front and rear yards shall not be less than 30 feet and no yard shall be less than 10 feet. A minimum setback of 15 feet shall be required from the monumented Borough beachfront line;
- b. Maximum permitted density shall be 10 dwelling units per acre;
- c. Maximum permitted density shall be 16 dwelling units per acre;
- d. None required if fireproof construction;
- e. Permitted height for conforming lots only. For nonconforming lots, refer to Sections 35-12.1, 35-12.2, 35-12.3. For properties located in Flood Zones A and V, refer to Sections 35-11.3b, 35.13.c, and 35-13D;
- f. For accessory structures and uses, a 5-foot setback is permitted unless more restrictive regulations are established elsewhere in this ordinance;
- g. Front yard setback distance may be reduced to the average of front yard setbacks of principal structures on all developed properties on the same side of the street within 200 feet of the property as documented by a map prepared by a licensed Land Surveyor;
- h. The building height and building envelope for individual dwelling units, either attached or detached, shall comply with footnote (f) of this Schedule I;
- i. Chimneys, stacks, vents, roof overhangs and gutters shall not project more than eighteen (18) inches into or over any required side yard setback line in the residential zones. Any projection over eighteen (18) inches shall be considered part of the principal structure and shall conform to all required side yard setback requirements;
- j. The maximum height for single-family dwellings facing the beachfront shall be thirty-eight (38) feet for conforming lots and thirty-three (33) for non-conforming lots.

Section 6: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2377-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2377-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 35 (ZONING), SECTION 35-11.8
(ADDITIONAL LOT, HEIGHT AND YARD
REQUIREMENTS), SECTION 35-3.1 (DEFINITIONS),
SECTION 35-11.2 (PRINCIPAL BUILDINGS),
SCHEDULE 1, ATTACHMENT 1:2 (ZONING
SCHEDULE OF BULK AND COVERAGE CONTROLS)
AND SECTION 35-11.6 (SWIMMING POOLS) OF THE
BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 35-11.8 refers to Additional Lot, Height and Yard Requirements, Section 35-3.1 refers to Definitions, Section 35-11.2 refers to Principal buildings, Schedule 1, Attachment 1:2 refers to Zoning Schedule of Bulk and Coverage Controls, and Section 35-11.6 refers to Swimming Pools; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: 35-11.8 refers to Additional Lot, Height and Yard Requirements of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. No deck shall be constructed above the highest finished floor of any building or structure;
- b. A widow's walk having a maximum floor area of 50 square feet is permitted provided that it is uncovered and that the sole access to the widow's walk is from within the interior of the building;
- c. No steps, stairs, entry porch, platform, landing, shower enclosure, standby generators, pool equipment, air conditioning condensing units, or mechanical equipment shall be constructed, located or maintained in any required side yard setback area. Note: Standby generators must be screened so that it is not visible from the adjacent properties. Note: Outdoor showers are prohibited in the front yard. Refer to Section 35-11.9.1.;
- d. An uncovered and unscreened entry porch, platform or landing leading to a basement, cellar or first floor which is not more than five feet wide may project not more than three feet (not including steps) into the required front or rear yard setback area, provided the floor of the porch is within three feet of ground level;
- e. Entry steps or stairs may be located in the required front and rear setback areas;
- f. An open terrace, deck or patio, but not including a roofed over porch or terrace and not more than three feet above the surrounding grade may be located in the front yard provided that the unoccupied portion of the front yard has a depth of at least 10 feet;
- g. A one-story bay window may project into a front yard not more than three feet;

- h. Roof overhangs and chimneys may project not more than 18 inches into the required side setback area;
- i. For existing residential principal buildings located in Flood Hazard Zones V and A as reflected on the most current FEMA Flood Insurance Rate Map (FIRM) as released on December 15, 2012, steps and/or stairs required to be extended as a result of the building being raised shall be permitted to extend into any required front, rear or side yard setback, but not into the public right-of-way. For new residential construction located in Flood Hazard Zones V and A as reflected on the most current FEMA Flood Insurance Rate Map (FIRM) as released on December 15, 2012, steps and/or stairs may be located in the front and rear setback areas;
- j. Ground level decks, freestanding decks and/or patios more than 8 inches above the surrounding grade must be setback a minimum of 5 feet from the side property lines on interior lots. On corner lots, the deck or patio must meet the side setback for the principal building. The deck or patio must conform to the rear setback line of the principal building;
- k. Notwithstanding the provisions of Subsections a and f above, residential principal buildings located in Flood Hazard Zones V and A as reflected on the most current FEMA Flood Insurance Rate Map (FIRM), as released on December 12, 2012, may construct first-floor decks in the front and rear yards at a height not to exceed the level of the first floor of the structure.
- l. Maximum building height for all garage apartment buildings facing First Avenue in Flood Hazard Zone V as reflected on the most current FEMA Flood Insurance Rate Map (FIRM) as released on December 15, 2012, shall be in accordance with § 35-9.4.

Section 2: Section 35-3.1 refers to Definitions of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

BUILDING HEIGHT

The vertical distance from the reference datum to the highest point of the structure. (a) single frontage or corner properties — height shall be measured from the top of the curb or in the absence of the curb from the crown of the road or in the absence of a road with a crown, then from the average of the grades at the center of each street front (or the monumented borough beach walk in the case of structures contiguous to the beachfront). (b) properties with opposite frontages — heights from the lot midpoint to the respective right-of-way line shall be measured from the top of the curb or in the absence of a curb from the crown of the road or in the absence of a road with a crown, then from the grade at the center of the street front or the monumented Borough beach walk in the case of structures contiguous to the beachfront. A decorative cupola not more than 3 feet by 3 feet may be added to the roof of a single-family dwelling.

CUPOLA

A small dome like structure on the roof of a building or structure and designed to provide ventilation and/or decoration. Maximum dimension of 3 feet by 3 feet.

DORMER

A projection from a roof that contains a window which shall not exceed 10 feet in length measured along the fascia and is set back a minimum of two feet from the exterior vertical building wall beneath the dormer. In the R-4 Zone, no dormer shall exceed ten (10) feet in length measured along the fascia.

FLAG LOT

A lot not meeting the minimum frontage requirements and where access to the public road is provided by a narrower extension of the lot encompassing a driveway or by private right-of-way easement.

GARAGE, PRIVATE

A structure that is an accessory to the principal building and that is used for the storage of motor vehicles and in which no occupation, business or service for profit is carried on. A portion of a garage not to exceed 50% may be used as a pool house etc. to include a kitchen, bath, bar and changing area. The remaining portion of the garage must be used for parking of a vehicle or for storage.

MOTHER/DAUGHTER HOUSING

A single-family dwelling that offers a semi-independent living space within the principal dwelling unit for a parent(s). The living space must be located within the principal dwelling and can only be accessed through the existing dwelling and not by a separate entrance. A fully independent dwelling unit is not permitted.

Section 3: Section 35-11.2 refers to Principal Buildings of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. Only one principal building shall be permitted on each lot, except in conjunction with townhouse and planned multi-family residential development.
- b. Two principal buildings shall be permitted on a lot in the R-4 Beachfront One-Family Residential Zone provided that:
 1. A garage with a second floor living unit shall front on First Avenue and a single-family residential dwelling shall front on the beachfront.
 2. The minimum lot width shall be 30 feet.
 3. The minimum lot area shall be 4,200 square feet.
 4. The building facing the beachfront shall be set back a minimum distance of fifteen (15) feet from the front property line.
 5. The garage apartment building facing First Avenue shall be set back a minimum distance of 10 feet from that property line.
 6. The two buildings shall be separated a minimum distance of 35 feet from the building or attached deck, whichever is closer.
 7. The maximum height of the garage apartment building facing First Avenue shall be 32 feet.
 8. The maximum height of the single-family dwelling facing the beachfront shall be 38 feet for conforming lots and 33 feet for nonconforming lots.
 9. The first-floor garage area of the building facing First Avenue shall provide an interior parking area for at least two motor vehicles. Any excess first floor area may be used for storage purposes, except vertical access to the second floor; provided, however, no living area is permitted on the first-floor garage area.
 10. The garage apartment building facing First Avenue shall have a walkway, with a minimum width of three feet, to provide access to the beachfront.
 11. Each building shall be serviced by separate water and sewer lines.
 12. No single dormer shall exceed 10 feet in length measured along the fascia.
 13. All dormers, except stairwell and/or elevator dormers must be stepped back a minimum of two feet from the exterior wall beneath it.
 14. A half-story must comply with the requirements outlined in § **35-3**.

15. The property shall comply with all other standards applicable in the R-4 Zone.

Section 4: Section 35-11.6 refers to Swimming Pools of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

A swimming pool or wading pool must be located in the rear yard only. The pool must be setback a minimum of 10 feet from the side and rear property lines on interior lots. On a corner lot, the pool must be setback to meet the minimum side setback for the principal building.

Notwithstanding the above provision, any temporary wading pool, which is not more than 12 inches in depth, may be located in the front yard provided that the pool is emptied daily no later than 7 p.m. and not filled before 9 a.m.

Section 5: Schedule 1, Attachment 1:2 refers to Zoning Schedule of Bulk and Coverage Controls of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. Aggregate depth of front and rear yards shall not be less than 30 feet and no yard shall be less than 10 feet. A minimum setback of 15 feet shall be required from the monumented Borough beachfront line;
- b. Maximum permitted density shall be 10 dwelling units per acre;
- c. Maximum permitted density shall be 16 dwelling units per acre;
- d. None required if fireproof construction;
- e. Permitted height for conforming lots only. For nonconforming lots, refer to Sections 35-12.1, 35-12.2, 35-12.3. For properties located in Flood Zones A and V, refer to Sections 35-11.3b, 35.13.c, and 35-13D;
- f. For accessory structures and uses, a 5-foot setback is permitted unless more restrictive regulations are established elsewhere in this ordinance;
- g. Front yard setback distance may be reduced to the average of front yard setbacks of principal structures on all developed properties on the same side of the street within 200 feet of the property as documented by a map prepared by a licensed Land Surveyor;
- h. The building height and building envelope for individual dwelling units, either attached or detached, shall comply with footnote (f) of this Schedule I;
- i. Chimneys, stacks, vents, roof overhangs and gutters shall not project more than eighteen (18) inches into or over any required side yard setback line in the residential zones. Any projection over eighteen (18) inches shall be considered part of the principal structure and shall conform to all required side yard setback requirements;
- j. The maximum height for single-family dwellings facing the beachfront shall be thirty-eight (38) feet for conforming lots and thirty-three (33) for non-conforming lots.

Section 6: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.

- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2377-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2378-22**

**ORDINANCE AMENDING CHAPTER 35 (ZONING),
AND ESTABLISHING SECTION 35-11.9.1 (OUTDOOR
SHOWERS) OF THE BOROUGH OF MANASQUAN
CODE IN THE BOROUGH OF MANASQUAN, COUNTY
OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Chapter 35 does not address the location of outdoor showers; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of establishing zoning requirements for the use of outdoor showers; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to provide regulations for outdoor showers; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: 35-11.9.1, Outdoor Showers, is hereby established in the Revised General Ordinances of the Borough of Manasquan as follows:

- a. No outdoor shower shall be located in the front yard.

Section 2: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2378-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
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2329 Route 34 S
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Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2379-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 35 (ZONING), SECTION 35-18.4
(EXEMPTIONS), SECTION 35-12.1
(NONCONFORMING BUILDINGS AND
CONFORMING BUILDINGS ON NONCONFORMING
LOTS), SECTION 12.2 (NEW CONFORMING
BUILDINGS ON NONCONFORMING LOTS), AND
SECTION 12.3 (NONCONFORMING BUILDINGS ON
CONFORMING LOTS) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 35-18.4 refers to Exemptions, Section 35-12.1 refers to Nonconforming Buildings And Conforming Buildings On Nonconforming Lots, Section 12.2 refers to New Conforming Buildings On Nonconforming Lots, and Section 12.3 refers to Nonconforming Buildings on Conforming Lots; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 35-18.4 refers to Exemptions of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. The alteration and/or the addition of any fill dirt to alter the existing grade of the property for a single-family and two-family residential structures and structures and uses incidental thereto, permitted as a right under applicable zoning regulations, will require site plan approval. The applicant must submit a plot plan showing the existing grade and proposed grade for all work to be performed. In addition, the plot plan must show the existing contours of all properties within a radius of 200 feet.
- b. No site plan shall be required for any repairs or alterations to a building or installation of equipment in any buildings, as such terms are defined by the Building Code of the Borough of Manasquan.[1]
[1] Editor's Note: See Ch. 14, Building and Housing, Section 14-1, State Uniform Construction Code Enforcing Agency.
- c. Signs which are not part of an application under subsection 35-18.3 and are in accordance with the standards of Section 35-25.

Section 2: Section 35-12.1 refers to Nonconforming Buildings and Conforming Buildings on Nonconforming Lots of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

An existing nonconforming building or a conforming building on a nonconforming lot may be repaired, altered, enlarged or extended provided that there is compliance with the following requirements:

- a. The building is used exclusively for residential purposes.

- b. The use of the building is permitted in the zone.
- c. The nonconforming lot is separately designated on the current municipal tax map or has been established by a subdivision approved by a Municipal Land Use Board.
- d. The proposed new building addition complies with subsection 35-9.4 (Schedule of Area Yard and Building Requirements) for the zone in which it is located.
- e. The proposed building height does not exceed 30 feet as measured from: the top of an existing curb; or in the absence of an existing curb, from the crown of the road; or in the case of beachfront lots, from the elevation of the monumented beachfront line.
- f. If the new building addition does not comply with paragraph d above, then the individual front, side and rear yard setback distances of the existing nonconforming building must be equal to or greater than 90% of the required setback distances in the zone.
- g. If the new building addition does not comply with paragraph d above, then existing building and lot coverage cannot exceed 110% of the maximum building and lot coverage permitted in the zone.
- h. This provision may be invoked only once during any five-year period. Any subsequent application to repair, alter, enlarge or extend a building shall be based upon the size and location of the building at the time of the first repair, alteration, enlargement or extension.
- i. Flood Zones A and V the maximum height for the principal structure is 33 feet. Garage apartments in the R-4 Zone, the maximum building height is 32 feet.

Section 3: Section 35-12.2 refers to New Conforming Buildings on Nonconforming Lots of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

A new conforming building may be built on a nonconforming lot provided there is compliance with the following requirements:

- a. The building is used exclusively for residential purposes.
- b. The use of the building is permitted in the zone.
- c. The nonconforming lot is separately designated on the current municipal tax map or has been established by a subdivision approved by a Municipal Land Use Board.
- d. The proposed new building complies with subsection 35-9.4 (Schedule of Area Yard and Building Requirements) for the zone in which it is located.
- e. Building height does not exceed 30 feet as measured from: the top of an existing curb; or in the absence of an existing curb, from the crown of the road; or in the case of beachfront lots, from the elevation of the monumented beachfront line.
- f. Flood zones A and V the maximum building height for the principal structure is 33 feet. Garage apartments in the R-4 Zone, the maximum building height is 32 feet.

Section 4: Section 35-12.3 refers to Nonconforming Buildings on Conforming Lots of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

An existing nonconforming building on a conforming lot may be repaired, altered, enlarged or extended provided that there is compliance with the following requirements:

- a. The building is used exclusively for residential purposes.
- b. The use of the building is permitted in the zone.
- c. The conforming lot is separately designated on the current municipal tax map or has been established by a subdivision approved by a Municipal Land Use Board.
- d. The proposed new building addition complies with subsection 35-9.4 (Schedule of Area Yard and Building Requirements) for the zone in which it is located.
- e. If the new building addition does not comply with paragraph d above, then the following shall apply:
 1. The proposed building height does not exceed 30 feet as measured from: the top of the existing curb; or in the absence of a curb, from the crown of the road; or in the case of beachfront lots, from the elevation of the monumented beachfront line.
 2. The individual front, side and rear yard setback distances of the existing nonconforming building must be equal to or greater than 90% of the required setback distances in the zone.
 3. The existing building and lot coverage cannot exceed 110% of the maximum building and lot coverage permitted in the zone.
- f. This provision may be invoked only once during any five-year period. Any subsequent application to repair, alter, enlarge or extend a building shall be based upon the size and location of the building at the time of the first repair, alteration, enlargement or extension.
- g. (Reserved)
- h. This provision may be invoked only once during any five-year period. Any subsequent application to repair, alter, enlarge or extend a building shall be based upon the size and location of the building at the time of the first repair, alteration, enlargement or extension.
- i. Flood zones A and V the maximum building height for the principal structure is 33 feet. Garage apartments in the R-4 Zone, the maximum building height is 32 feet.

Section 5: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2379-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2379-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 35 (ZONING), SECTION 35-18.4
(EXEMPTIONS), SECTION 35-12.1
(NONCONFORMING BUILDINGS AND
CONFORMING BUILDINGS ON NONCONFORMING
LOTS), SECTION 12.2 (NEW CONFORMING
BUILDINGS ON NONCONFORMING LOTS), AND
SECTION 12.3 (NONCONFORMING BUILDINGS ON
CONFORMING LOTS) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 35-18.4 refers to Exemptions, Section 35-12.1 refers to Nonconforming Buildings And Conforming Buildings On Nonconforming Lots, Section 12.2 refers to New Conforming Buildings On Nonconforming Lots, and Section 12.3 refers to Nonconforming Buildings on Conforming Lots; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 35-18.4 refers to Exemptions of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. The alteration and/or the addition of any fill dirt to alter the existing grade of the property for a single-family and two-family residential structures and structures and uses incidental thereto, permitted as a right under applicable zoning regulations, will require site plan approval. The applicant must submit a plot plan showing the existing grade and proposed grade for all work to be performed. In addition, the plot plan must show the existing contours of all properties within a radius of 200 feet.
- b. No site plan shall be required for any repairs or alterations to a building or installation of equipment in any buildings, as such terms are defined by the Building Code of the Borough of Manasquan.[1]
[1] Editor's Note: See Ch. 14, Building and Housing, Section 14-1, State Uniform Construction Code Enforcing Agency.
- c. Signs which are not part of an application under subsection 35-18.3 and are in accordance with the standards of Section 35-25.

Section 2: Section 35-12.1 refers to Nonconforming Buildings and Conforming Buildings on Nonconforming Lots of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

An existing nonconforming building or a conforming building on a nonconforming lot may be repaired, altered, enlarged or extended provided that there is compliance with the following requirements:

- a. The building is used exclusively for residential purposes.

- b. The use of the building is permitted in the zone.
- c. The nonconforming lot is separately designated on the current municipal tax map or has been established by a subdivision approved by a Municipal Land Use Board.
- d. The proposed new building addition complies with subsection 35-9.4 (Schedule of Area Yard and Building Requirements) for the zone in which it is located.
- e. The proposed building height does not exceed 30 feet as measured from: the top of an existing curb; or in the absence of an existing curb, from the crown of the road; or in the case of beachfront lots, from the elevation of the monumented beachfront line.
- f. If the new building addition does not comply with paragraph d above, then the individual front, side and rear yard setback distances of the existing nonconforming building must be equal to or greater than 90% of the required setback distances in the zone.
- g. If the new building addition does not comply with paragraph d above, then existing building and lot coverage cannot exceed 110% of the maximum building and lot coverage permitted in the zone.
- h. This provision may be invoked only once during any five-year period. Any subsequent application to repair, alter, enlarge or extend a building shall be based upon the size and location of the building at the time of the first repair, alteration, enlargement or extension.
- i. Flood Zones A and V the maximum height for the principal structure is 33 feet. Garage apartments in the R-4 Zone, the maximum building height is 32 feet.

Section 3: Section 35-12.2 refers to New Conforming Buildings on Nonconforming Lots of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

A new conforming building may be built on a nonconforming lot provided there is compliance with the following requirements:

- a. The building is used exclusively for residential purposes.
- b. The use of the building is permitted in the zone.
- c. The nonconforming lot is separately designated on the current municipal tax map or has been established by a subdivision approved by a Municipal Land Use Board.
- d. The proposed new building complies with subsection 35-9.4 (Schedule of Area Yard and Building Requirements) for the zone in which it is located.
- e. Building height does not exceed 30 feet as measured from: the top of an existing curb; or in the absence of an existing curb, from the crown of the road; or in the case of beachfront lots, from the elevation of the monumented beachfront line.
- f. Flood zones A and V the maximum building height for the principal structure is 33 feet. Garage apartments in the R-4 Zone, the maximum building height is 32 feet.

Section 4: Section 35-12.3 refers to Nonconforming Buildings on Conforming Lots of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

An existing nonconforming building on a conforming lot may be repaired, altered, enlarged or extended provided that there is compliance with the following requirements:

- a. The building is used exclusively for residential purposes.
- b. The use of the building is permitted in the zone.
- c. The conforming lot is separately designated on the current municipal tax map or has been established by a subdivision approved by a Municipal Land Use Board.
- d. The proposed new building addition complies with subsection 35-9.4 (Schedule of Area Yard and Building Requirements) for the zone in which it is located.
- e. If the new building addition does not comply with paragraph d above, then the following shall apply:
 1. The proposed building height does not exceed 30 feet as measured from: the top of the existing curb; or in the absence of a curb, from the crown of the road; or in the case of beachfront lots, from the elevation of the monumented beachfront line.
 2. The individual front, side and rear yard setback distances of the existing nonconforming building must be equal to or greater than 90% of the required setback distances in the zone.
 3. The existing building and lot coverage cannot exceed 110% of the maximum building and lot coverage permitted in the zone.
- f. This provision may be invoked only once during any five-year period. Any subsequent application to repair, alter, enlarge or extend a building shall be based upon the size and location of the building at the time of the first repair, alteration, enlargement or extension.
- g. (Reserved)
- h. This provision may be invoked only once during any five-year period. Any subsequent application to repair, alter, enlarge or extend a building shall be based upon the size and location of the building at the time of the first repair, alteration, enlargement or extension.
- i. Flood zones A and V the maximum building height for the principal structure is 33 feet. Garage apartments in the R-4 Zone, the maximum building height is 32 feet.

Section 5: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2379-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2380-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 35 (ZONING), SECTION 35-25.2
(PERMITTED SIGNS) AND SECTION 35-25.3
(REGULATIONS APPLICABLE TO ALL ZONES) OF
THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 35-25.2 refers to Permitted Signs and Section 35-25.3 refers to Regulations Applicable to All Zones; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 35-25.2 refers to Permitted Sign Requirements of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. The following signs shall be permitted in the R-1, R-2, R-3, R-4 and R-5 zones:
 1. For each dwelling unit, one unlighted nameplate not exceeding one square foot in area and bearing the name of the occupant.
 2. For any structure other than a dwelling unit, one identification sign not exceeding eight square feet, except a church bulletin board, which shall not exceed 18 square feet. Signs erected for use under this section may be illuminated with a constant source of light, provided that the light is shielded to prevent glare and annoyance to adjacent residential uses.
 3. A sign advertising the premises upon which it is located "for sale" or "for rent," not exceeding four square feet in area. Not more than one sign shall be permitted.
 4. Signs designating entrances or exits to or from a parking area are permitted and shall not exceed two square feet each.
 5. Development signs designed for advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other persons interested in such sale or development, may be erected and maintained, provided that:
 - (a) The size of any sign is not in excess of 6 square feet; and
 - (b) Not more than one sign is placed upon any property; and
 - (c) Any such sign shall be removed by the developer within three weeks of the final sale of the property; and
 - (d) Any freestanding sign shall not exceed four feet in height and shall not be closer than three feet from any property line and shall not be located in any manner which will impede full vehicular visibility at street intersections, driveways or exits. A sign permit is not required for such temporary contractor signs

6. Directional signs indicating the location and direction of premises in the Borough available for or in process of development in the Borough, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder or agent may be erected, by permit, and maintained, provided that:

- (a) The size of any such sign is not in excess of six square feet and not in excess of four feet in length; and
- (b) Not more than one such sign is erected for each development; and
- (c) Any such sign shall be removed by developer within three weeks of the final sale of the property.

7. Private driveway signs indicating the private nature of a driveway or trespassing signs, provided that the size of any such sign shall not exceed two square feet.

b. The following signs shall be permitted in B-1, B-2, C and I zones:

1. Any sign displayed flat against the wall of a building and which does not project above the roof line. Only one sign per face of a building for each business occupying that building shall be permitted and the total sign area on any building face shall not exceed two square feet for each foot of building frontage.

2. Free-standing signs supported by one or more columns or uprights which are firmly embedded in the ground, subject to the following restrictions:

- (a) Exposed guide wires, chains or other connections shall not be made a permanent support of a free-standing sign.
- (b) The total aggregate surface area of the sign shall not exceed nine square feet. The maximum height of the sign shall not exceed 10 feet nor shall the sign be closer than six inches to the ground.
- (c) The sign shall be in conformity with the character of the zone and other signs in the zone so that it blends in with the overall architectural scheme.
- (d) The sign shall be set back at least 10 feet from the curblines.

3. A sign advertising the premises upon which it is located "for sale" or "for rent," not exceeding four square feet in area. Not more than one sign shall be permitted.

4. Development signs designed for advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other persons interested in such sale or development, may be erected and maintained, provided that:

- (a) The size of any sign is not in excess of 6 square feet; and
- (b) Not more than one sign is placed upon any property; and
- (c) Any such sign shall be removed by the developer within three weeks of the final sale of the property and
- (d) Any freestanding sign shall not exceed four feet in height and shall not be closer than three feet from any property line and shall not be located in any manner which will impede full vehicular visibility at street intersections, driveways or exits. A sign permit is not required for such temporary contract signs.

5. The total aggregate surface area of all signs on a lot in the B-1, B-2, B-3, C and I zones shall not exceed 100 square feet.

Section 2: Section 35-25.3 refers to Sign Regulations Applicable in All Zones of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. No sign shall be placed in or extend over the line of any public street, right-of-way, curb or sidewalk area.
- b. Billboards are prohibited throughout the Borough of Manasquan.
- c. A permit shall not be required for the erection, alteration or maintenance of any signs permitted in a residential district.
- d. Signs must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.
- e. All signs, together with all supports, braces, anchors, etc., shall be kept in continual repair, including the replacement of defective parts, repainting, cleaning and otherwise in a presentable condition.
- f. No sign shall be served by overhead utility service.
- g. No sign shall be maintained at any location where, by reason of color, illumination, position, size or shape, may obstruct, impair, obscure or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse vehicular traffic.
- h. Signs shall not obstruct any window, door or other opening used as a means of regular ingress and egress or for required legal light and ventilation or fire escapes and other openings for emergency access and escape.
- i. Signs attached to or placed on a vehicle, including trailers, that are parked on public or private property shall be prohibited. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle during normal hours of business; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on the vehicle for the purpose of advertising a business or firm or calling attention to the location of a business or firm.
- j. No sign may be placed on or attached to a building or erected independently for any purpose other than to advertise a permitted business or use conducted on the same premises.
- k. No sign shall be attached to trees, fence posts, stumps, utility poles or other signs. No flags, pennants or similar objects may be attached or displayed on signs.
- l. No sign shall project beyond the building in a manner placing it above an area traversed by motor vehicles, such as but not limited to, driveway and parking areas.
- m. Illuminated signs shall be arranged as to reflect the light and glare away from adjoining premises and away from adjoining highways.
- n. No sign with red, green or blue illumination in a beam, beacon or flashing form resembling an emergency light shall be permitted.
- o. The area of a sign shall be measured around the outside edges of a framed or enclosed sign or by the area utilized by isolated words and/or symbols, including the background, whether open or enclosed, but the sign area shall not include any supporting framework and bracing incidental to the display thereof.
- p. Any sign having two exposures shall be measured for area using the surface of one side of the sign only. Both sides of the sign may be used for display purposes.
- q. All fascia or attached signs shall be firmly attached to the exterior wall of the building and shall not project more than 15 inches from the building.
- r. Interior signs shall be permitted and no permit shall be required for erection and/or maintenance of such signs; provided however, that an interior sign shall

not exceed 10% of the total sign area and not more than five interior signs shall be located in any structure.

- s. Street number designations, postal boxes, on-site directional and parking signs and warning signs are permitted and shall not be considered in calculating maximum permitted sign area. No such sign shall exceed two square feet in area, nor shall a permit be required for such signs.
- t. Temporary signs relating to special civic or public events may be maintained for a period not to exceed 10 days prior to the date of the event and must be removed within five days after the event has taken place. A permit shall not be required for the erection or maintenance of any temporary sign.
- u. One temporary contractor advertising sign may be erected on any lot with a structure undergoing construction, repair or improvement. No sign shall be erected more than two days before work begins, and no sign shall remain erected for more than three days after completion of work or for a period of three weeks, whichever is less. Such signs may be erected as either a facade sign or a freestanding sign and shall not exceed six square feet in area. Any freestanding sign shall not exceed four feet in height and shall be not closer than three feet from any property line and shall not be located in any manner which will impede full vehicular visibility at street intersections, driveways or exits. A sign permit is not required for such temporary contractor signs.
- v. Temporary flags, banners or streamers, erected in conformance with the provisions of this chapter, may be maintained for a period not to exceed 14 days, four times within any calendar year. A zoning application must be approved by the Zoning Officer prior to the installation of any flag, banner or streamer.
- w. Banners advertising special sales or products on private property, erected in conformance with the provisions of this chapter, may be maintained for a period not to exceed 14 days, four times within any calendar year. A zoning application must be approved by the Zoning Officer prior to the installation of any such banner.
- x. The display or maintenance of blow-up figurines used for commercial or advertising purposes is prohibited.
- y. Neon signs are prohibited.
- z. A-frame signs are prohibited, except for the display and maintenance of one A-frame sign not to exceed four square feet utilized for directional purposes, provided that such directional sign may not be placed within a public right-of-way.
- aa. Painting or marking of buildings and structures for advertising or promotional events is prohibited.
- bb. Any sign which is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign shall be prohibited in all zones. This shall include all signage inclusive of billboards. Governmental signs erected or authorized by a government unit shall be exempt from this amendment.
- cc. Signs using mechanical devices, electrical devices or both to revolve, flash or display movement or the illusion of movement are prohibited in all zones. Governmental signs erected or authorized by a government unit shall be exempt from this amendment.

Section 3: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except

insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.

- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2380-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2380-22**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 35 (ZONING), SECTION 35-25.2
(PERMITTED SIGNS) AND SECTION 35-25.3
(REGULATIONS APPLICABLE TO ALL ZONES) OF
THE BOROUGH OF MANASQUAN CODE IN THE
BOROUGH OF MANASQUAN, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 35-25.2 refers to Permitted Signs and Section 35-25.3 refers to Regulations Applicable to All Zones; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 35-25.2 refers to Permitted Sign Requirements of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. The following signs shall be permitted in the R-1, R-2, R-3, R-4 and R-5 zones:
 1. For each dwelling unit, one unlighted nameplate not exceeding one square foot in area and bearing the name of the occupant.
 2. For any structure other than a dwelling unit, one identification sign not exceeding eight square feet, except a church bulletin board, which shall not exceed 18 square feet. Signs erected for use under this section may be illuminated with a constant source of light, provided that the light is shielded to prevent glare and annoyance to adjacent residential uses.
 3. A sign advertising the premises upon which it is located "for sale" or "for rent," not exceeding four square feet in area. Not more than one sign shall be permitted.
 4. Signs designating entrances or exits to or from a parking area are permitted and shall not exceed two square feet each.
 5. Development signs designed for advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other persons interested in such sale or development, may be erected and maintained, provided that:
 - (a) The size of any sign is not in excess of 6 square feet; and
 - (b) Not more than one sign is placed upon any property; and
 - (c) Any such sign shall be removed by the developer within three weeks of the final sale of the property; and
 - (d) Any freestanding sign shall not exceed four feet in height and shall not be closer than three feet from any property line and shall not be located in any manner which will impede full vehicular visibility at street intersections, driveways or exits. A sign permit is not required for such temporary contractor signs

6. Directional signs indicating the location and direction of premises in the Borough available for or in process of development in the Borough, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder or agent may be erected, by permit, and maintained, provided that:

- (a) The size of any such sign is not in excess of six square feet and not in excess of four feet in length; and
- (b) Not more than one such sign is erected for each development; and
- (c) Any such sign shall be removed by developer within three weeks of the final sale of the property.

7. Private driveway signs indicating the private nature of a driveway or trespassing signs, provided that the size of any such sign shall not exceed two square feet.

b. The following signs shall be permitted in B-1, B-2, C and I zones:

1. Any sign displayed flat against the wall of a building and which does not project above the roof line. Only one sign per face of a building for each business occupying that building shall be permitted and the total sign area on any building face shall not exceed two square feet for each foot of building frontage.

2. Free-standing signs supported by one or more columns or uprights which are firmly embedded in the ground, subject to the following restrictions:

- (a) Exposed guide wires, chains or other connections shall not be made a permanent support of a free-standing sign.
- (b) The total aggregate surface area of the sign shall not exceed nine square feet. The maximum height of the sign shall not exceed 10 feet nor shall the sign be closer than six inches to the ground.
- (c) The sign shall be in conformity with the character of the zone and other signs in the zone so that it blends in with the overall architectural scheme.
- (d) The sign shall be set back at least 10 feet from the curblines.

3. A sign advertising the premises upon which it is located "for sale" or "for rent," not exceeding four square feet in area. Not more than one sign shall be permitted.

4. Development signs designed for advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other persons interested in such sale or development, may be erected and maintained, provided that:

- (a) The size of any sign is not in excess of 6 square feet; and
- (b) Not more than one sign is placed upon any property; and
- (c) Any such sign shall be removed by the developer within three weeks of the final sale of the property and
- (d) Any freestanding sign shall not exceed four feet in height and shall not be closer than three feet from any property line and shall not be located in any manner which will impede full vehicular visibility at street intersections, driveways or exits. A sign permit is not required for such temporary contract signs.

5. The total aggregate surface area of all signs on a lot in the B-1, B-2, B-3, C and I zones shall not exceed 100 square feet.

Section 2: Section 35-25.3 refers to Sign Regulations Applicable in All Zones of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

- a. No sign shall be placed in or extend over the line of any public street, right-of-way, curb or sidewalk area.
- b. Billboards are prohibited throughout the Borough of Manasquan.
- c. A permit shall not be required for the erection, alteration or maintenance of any signs permitted in a residential district.
- d. Signs must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.
- e. All signs, together with all supports, braces, anchors, etc., shall be kept in continual repair, including the replacement of defective parts, repainting, cleaning and otherwise in a presentable condition.
- f. No sign shall be served by overhead utility service.
- g. No sign shall be maintained at any location where, by reason of color, illumination, position, size or shape, may obstruct, impair, obscure or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse vehicular traffic.
- h. Signs shall not obstruct any window, door or other opening used as a means of regular ingress and egress or for required legal light and ventilation or fire escapes and other openings for emergency access and escape.
- i. Signs attached to or placed on a vehicle, including trailers, that are parked on public or private property shall be prohibited. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle during normal hours of business; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on the vehicle for the purpose of advertising a business or firm or calling attention to the location of a business or firm.
- j. No sign may be placed on or attached to a building or erected independently for any purpose other than to advertise a permitted business or use conducted on the same premises.
- k. No sign shall be attached to trees, fence posts, stumps, utility poles or other signs. No flags, pennants or similar objects may be attached or displayed on signs.
- l. No sign shall project beyond the building in a manner placing it above an area traversed by motor vehicles, such as but not limited to, driveway and parking areas.
- m. Illuminated signs shall be arranged as to reflect the light and glare away from adjoining premises and away from adjoining highways.
- n. No sign with red, green or blue illumination in a beam, beacon or flashing form resembling an emergency light shall be permitted.
- o. The area of a sign shall be measured around the outside edges of a framed or enclosed sign or by the area utilized by isolated words and/or symbols, including the background, whether open or enclosed, but the sign area shall not include any supporting framework and bracing incidental to the display thereof.
- p. Any sign having two exposures shall be measured for area using the surface of one side of the sign only. Both sides of the sign may be used for display purposes.
- q. All fascia or attached signs shall be firmly attached to the exterior wall of the building and shall not project more than 15 inches from the building.
- r. Interior signs shall be permitted and no permit shall be required for erection and/or maintenance of such signs; provided however, that an interior sign shall

not exceed 10% of the total sign area and not more than five interior signs shall be located in any structure.

- s. Street number designations, postal boxes, on-site directional and parking signs and warning signs are permitted and shall not be considered in calculating maximum permitted sign area. No such sign shall exceed two square feet in area, nor shall a permit be required for such signs.
- t. Temporary signs relating to special civic or public events may be maintained for a period not to exceed 10 days prior to the date of the event and must be removed within five days after the event has taken place. A permit shall not be required for the erection or maintenance of any temporary sign.
- u. One temporary contractor advertising sign may be erected on any lot with a structure undergoing construction, repair or improvement. No sign shall be erected more than two days before work begins, and no sign shall remain erected for more than three days after completion of work or for a period of three weeks, whichever is less. Such signs may be erected as either a facade sign or a freestanding sign and shall not exceed six square feet in area. Any freestanding sign shall not exceed four feet in height and shall be not closer than three feet from any property line and shall not be located in any manner which will impede full vehicular visibility at street intersections, driveways or exits. A sign permit is not required for such temporary contractor signs.
- v. Temporary flags, banners or streamers, erected in conformance with the provisions of this chapter, may be maintained for a period not to exceed 14 days, four times within any calendar year. A zoning application must be approved by the Zoning Officer prior to the installation of any flag, banner or streamer.
- w. Banners advertising special sales or products on private property, erected in conformance with the provisions of this chapter, may be maintained for a period not to exceed 14 days, four times within any calendar year. A zoning application must be approved by the Zoning Officer prior to the installation of any such banner.
- x. The display or maintenance of blow-up figurines used for commercial or advertising purposes is prohibited.
- y. Neon signs are prohibited.
- z. A-frame signs are prohibited, except for the display and maintenance of one A-frame sign not to exceed four square feet utilized for directional purposes, provided that such directional sign may not be placed within a public right-of-way.
- aa. Painting or marking of buildings and structures for advertising or promotional events is prohibited.
- bb. Any sign which is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign shall be prohibited in all zones. This shall include all signage inclusive of billboards. Governmental signs erected or authorized by a government unit shall be exempt from this amendment.
- cc. Signs using mechanical devices, electrical devices or both to revolve, flash or display movement or the illusion of movement are prohibited in all zones. Governmental signs erected or authorized by a government unit shall be exempt from this amendment.

Section 3: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except

insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.

- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2380-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

BOROUGH OF MANASQUAN

ORDINANCE NO 2381-22

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 31 (PLANNING BOARD), SECTION 31-13
(RULES AND REGULATIONS) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 31-13 refers to Rules and Regulations; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the residents of the Borough to amend the Rules and Regulations of the Planning Board; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 31-13 refers to Rules and Regulations of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

The Planning Board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of subpoenas, administration of oaths and taking of testimony, the provisions of the County and Municipal Investigations Law, N.J.S. 2A:67A-1 et seq., shall apply.

- a. Subject to the terms and conditions of N.J.S.A. 40A:9-12.1, the position of a planning board member shall be deemed vacant upon a member's absence for more than six (6) consecutive weeks, or three (3) consecutive meetings, whichever shall be of longer duration, without being excused, within the term for the position held by the individual.
- b. All members and alternate members of the planning board, except for the Class II member, shall be municipal residents of the Borough of Manasquan.

Section 2: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2381-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

EDWARD G. DONOVAN
Mayor

BOROUGH OF MANASQUAN

ORDINANCE NO. 2381-22

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 31 (PLANNING BOARD), SECTION 31-13
(RULES AND REGULATIONS) OF THE BOROUGH OF
MANASQUAN CODE IN THE BOROUGH OF
MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code, Section 31-13 refers to Rules and Regulations; and

WHEREAS, the Manasquan Borough Council of the Borough of Manasquan is desirous of amending certain zoning requirements; and

WHEREAS, the Manasquan Borough Council has determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend these Zoning Requirements; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Section 31-13 refers to Rules and Regulations of the revised general ordinances of the Borough of Manasquan is hereby Amended as follows:

The Planning Board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of subpoenas, administration of oaths and taking of testimony, the provisions of the County and Municipal Investigations Law, N.J.S. 2A:67A-1 et seq., shall apply.

- b. a. Subject to the terms and conditions of N.J.S.A. 40A:9-12.1, the position of a planning board member shall be deemed vacant upon a member's absence for more than six (6) consecutive weeks, or three (3) consecutive meetings, whichever shall be of longer duration, without being excused, within the term for the position held by the individual. All members and alternate members of the planning board, except for the Class II member, shall be municipal residents of the Borough of Manasquan.

Section 2: Construction and effective date

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provisions so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This ordinance shall become effective following its final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2381-22-22 is being introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and read for the first time. The said Ordinance is going to be considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00p.m. on the 3rd day of October 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: October 3, 2022

Edward G. Donovan
Mayor

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2382-22**

**BOND ORDINANCE PROVIDING A
SUPPLEMENTAL APPROPRIATION OF \$750,000
FOR WATER AND SEWER INFRASTRUCTURE
UPGRADES IN AND BY THE BOROUGH OF
MANASQUAN, IN THE COUNTY OF MONMOUTH,
NEW JERSEY, AND AUTHORIZING THE
ISSUANCE OF \$750,000 BONDS OR NOTES OF THE
BOROUGH TO FINANCE THE COST THEREOF**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF MANASQUAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY** (with not
less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Manasquan, in the County of Monmouth, New Jersey (the "Borough"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$750,000, such sum being in addition to the \$550,000 appropriated therefor by bond ordinance #2372-22 of the Borough, finally adopted June 13, 2022 (the "Original Bond Ordinance"). No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$750,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the upgrade of water and sewer infrastructure for the water and sewer utility, including, but not limited to, upgrades to the South Street and East Virginia Avenue Pump Stations and a study to determine interconnections needed to supplement water to the Borough, including equipment, work and materials necessary therefor or incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$1,300,000, including the \$550,000 authorized by the Original Bond Ordinance and the \$750,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,300,000, including the \$550,000 appropriated by the Original Bond Ordinance and the \$750,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond

anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$750,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$260,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$110,000 was estimated for these items of expense in the Original Bond Ordinance and a \$150,000 additional amount is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Borough to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2382-22 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 15th day of August 2022 and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 6th day of September 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 South, Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Hearing: September 6, 2022

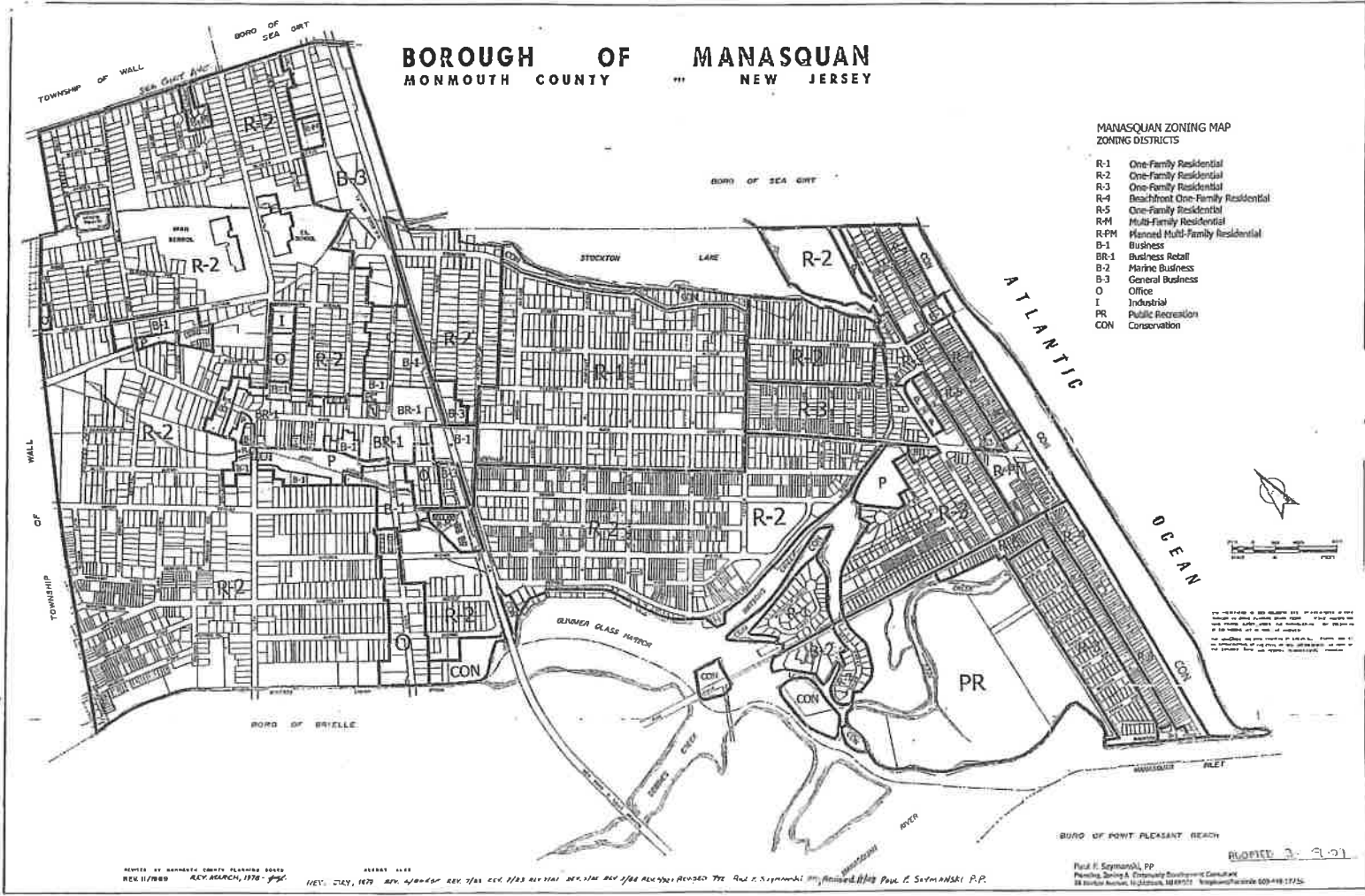
EDWARD G. DONOVAN
Mayor

BOROUGH OF MANASQUAN

MONMOUTH COUNTY NEW JERSEY

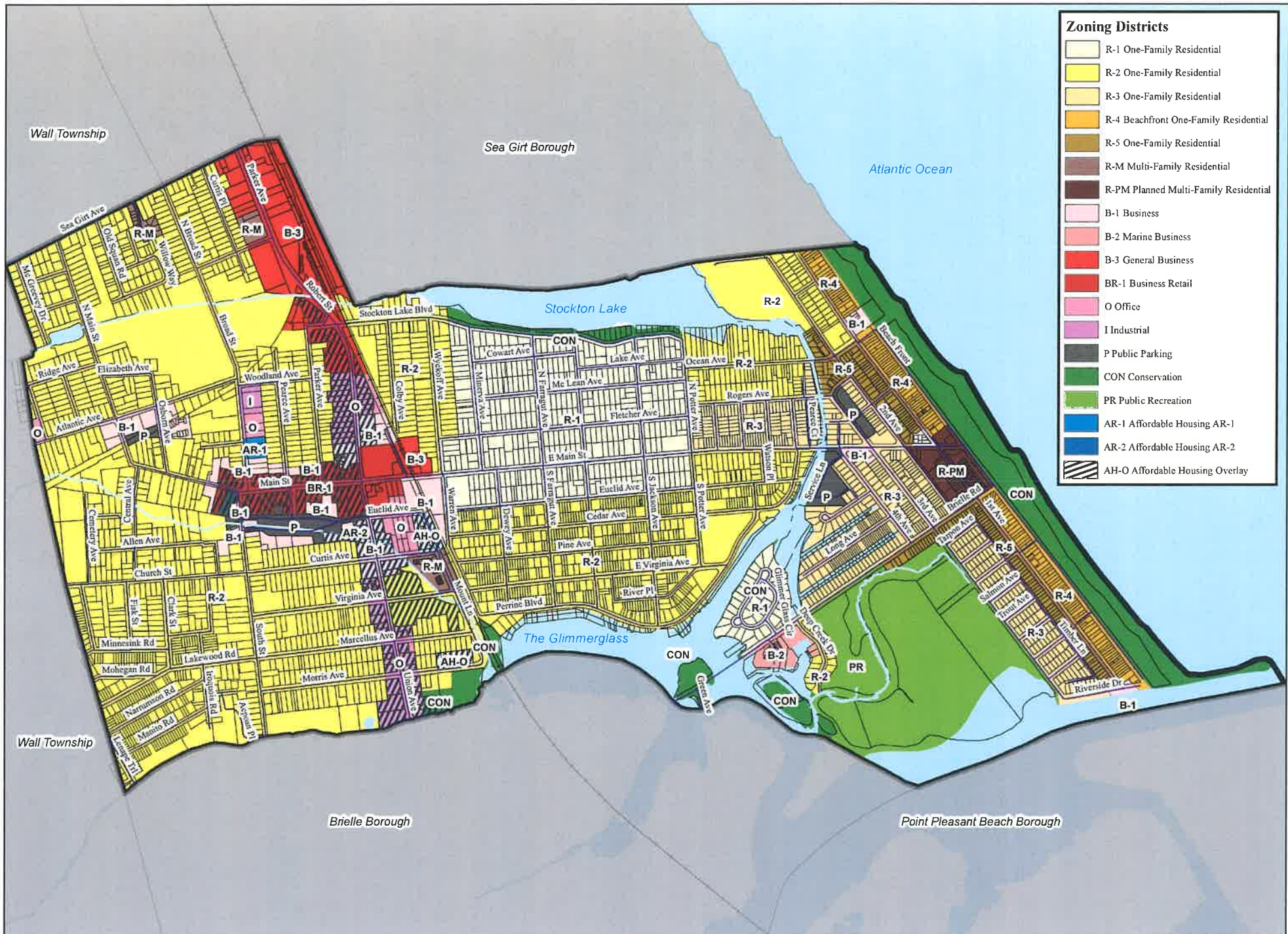
MANASQUAN ZONING MAP ZONING DISTRICTS

- R-1 One-Family Residential
- R-2 One-Family Residential
- R-3 One-Family Residential
- R-4 Beachfront One-Family Residential
- R-5 One-Family Residential
- R-M Multi-Family Residential
- R-PH Planned Multi-Family Residential
- B-1 Business
- BR-1 Business Retail
- B-2 Marine Business
- B-3 General Business
- O Office
- I Industrial
- PR Public Recreation
- CON Conservation

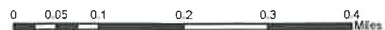


REVISED BY MANASQUAN ZONING BOARD JUNE 2001
 REV. 11/2000 REV. MARCH, 1978 REV. JULY, 1979 REV. JUNE 1980 REV. MAY 1981 REV. MAY 1982 REV. MAY 1983 REV. MAY 1984 REV. MAY 1985 REV. MAY 1986 REV. MAY 1987 REV. MAY 1988 REV. MAY 1989 REV. MAY 1990 REV. MAY 1991 REV. MAY 1992 REV. MAY 1993 REV. MAY 1994 REV. MAY 1995 REV. MAY 1996 REV. MAY 1997 REV. MAY 1998 REV. MAY 1999 REV. MAY 2000 REV. MAY 2001 REV. MAY 2002 REV. MAY 2003 REV. MAY 2004 REV. MAY 2005 REV. MAY 2006 REV. MAY 2007 REV. MAY 2008 REV. MAY 2009 REV. MAY 2010 REV. MAY 2011 REV. MAY 2012 REV. MAY 2013 REV. MAY 2014 REV. MAY 2015 REV. MAY 2016 REV. MAY 2017 REV. MAY 2018 REV. MAY 2019 REV. MAY 2020 REV. MAY 2021 REV. MAY 2022 REV. MAY 2023 REV. MAY 2024 REV. MAY 2025

Paul F. Szymanski, PP
 Planning Director & Community Development Consultant
 28 North Avenue, Teaneck, NJ 07646 Telephone/Facsimile 201-498-1715



Source: Monmouth County GIS,
 NJDEP, NJGIS, USDA NRCS, and ESRI
 Date Saved: April 11, 2022



Zone Map
 Borough of Manasquan
 Monmouth County, New Jersey



LEON S. AVAKIAN, Inc.
 Consulting Engineers

This map was developed using New Jersey Department of Environmental Protection Geographic Information Systems digital data, but this secondary product has not been verified by NJDEP and is not state-authorized or endorsed.

**BOROUGH OF MANASQUAN
ORDINANCE NO. 2383-22**

**ORDINANCE TO AMEND AND SUPPLEMENT THE
DEVELOPMENT REGULATIONS AND ZONING
ORDINANCE OF THE BOROUGH OF MANASQUAN
AND TO ADOPT THE REVISED OFFICIAL ZONING
MAP OF THE BOROUGH**

Statement of Purpose: The purpose of this Ordinance is to adopt an updated and revised Official Zoning Map of the Borough for inclusion in the Development Regulations and Zoning Ordinance of the Borough to accurately depict the Borough's Zoning Districts.

WHEREAS, the Borough Council has determined that it is in the public interest to update the current Official Zoning Map, last revised in November 2008; and

WHEREAS, the firm of Leon S. Avakian, Inc., a professional engineering consulting firm retained by the Borough, has prepared an updated Official Map revised to April 11, 2022, a copy of which is attached hereto; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN IN THE COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY, as follows:

Section 1. Article 4.2 of the Zoning Ordinance of the Borough of Manasquan entitled "Zoning Provisions" – Section 35 – entitled "Zoning Map" is hereby amended and revised at Section 35 and entitled "Zoning Map Adopted" to read as follows:

a. Zoning Map Adopted:

The boundaries of the zoning districts are established on the Zoning Map dated April 11, 2022 which is hereby made a part of this Ordinance. (The map may be found in the Chapter 35, Attachment 2)

Section 2. All other provisions of the Zoning Ordinance of the Borough of Manasquan shall be unaffected and are hereby continued.

Section 3. All other Ordinances, parts of Ordinances, or other local requirements that are inconsistent or in conflict with this Ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.

Section 4. This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal laws. Notwithstanding that any provision of this Ordinance is, for any reason, held to be invalid or unconstitutional by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue to be of full force and effect. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

Section 5. The Borough Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.A. 40:55D-16.

Section 6. This Ordinance shall take effect as provided by law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2383-22 was introduced at a meeting of the Mayor and Borough Council of Manasquan on the 15th day of August, 2022 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at 7:00 p.m. on the 19th day of September, 2022. At such time and place, or at any such time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public the office of Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

MARK G. KITRICK, ESQ.
Municipal Attorney
2329 Route 34 South
Suite 104
Manasquan, NJ 08736

STATEMENT

This ordinance published herewith has been finally adopted on September 19, 2022 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided by law, has begun to run from the date of the first publication of said statement.

BARBARA ILARIA, RMC, CMC
Municipal Clerk

Passed on First Reading and Introduction: August 15, 2022
Approved on Second Reading and Final Reading: September 19, 2022

EDWARD G. DONOVAN
Mayor