

## ORDINANCE 2022-09

### AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING CHAPTER 293 OF THE CODE OF THE BOROUGH OF SEASIDE PARK, ENTITLED "MARINA"

**WHEREAS**, pursuant to N.J.S.A. 40:48-1 et seq., the governing body of every municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this state or the United States, as it may deem necessary and proper for the good government, order and protections of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by law; and

**WHEREAS**, the Borough of Seaside Park is a body politic and corporate in law pursuant to N.J.S.A. 40A:60-1 et seq.; and

**WHEREAS**, pursuant to N.J.S.A. 40:68-1, et seq., the Governing Body may by ordinance make and enforce rules and regulations for the erection, improvement, alteration, extension, maintenance, use, regulation and supervision of wharves, piers, bulkheads, docks, slips, basins, docking facilities, harbors and harbor structures within the municipality; and for the issuance of licenses and permits therefor, upon payment of fees to be fixed from time to time; and

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Seaside Park, County of Ocean, State of New Jersey:

#### **SECTION I.**

- A. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-8, titled "Boat slip reassignment" so as the phrase "or child" shall be inserted following the word "spouse" in §293-8(B), which shall read as follows:

**B. In the event of the death of the permit holder of record, the boat slip which is the subject of the permit may be assigned to the spouse or child of the deceased permit holder.**

- B. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-8, titled "Boat slip reassignment" so as to insert new numbered item seven (7) under §293-8(C), which shall read as follows:

**(7) May only reassign a slip for two (2) consecutive years.**

- C. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-11, titled "Boat slip fees" so as to change the word "October" to the word "November" and to change the amounts "\$65" to "\$70", and "\$71" to "\$77" in §293-11(A), which shall read as follows:

**A. Boat slip rental permit fees for the summer season, for the period from April 1 through November 30, shall be at the rate of \$70 per foot for boat slips not equipped with electrical service and \$77 per foot for boat slips equipped with electrical service. These fees shall be based on the size of each boat slip as determined by the Borough.**

- D. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-13, titled "Summer trailer storage fees" so as to change amount "\$120" to "\$150", which shall read as follows:

**The fee for the storage of boat trailers not exceeding an overall length of 40 feet, without a boat, shall be \$150 for the period April 1 through November 1. The daily fee for the storage of these trailers, without a boat, shall be \$5 per day during the same period.**

- E. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-14, titled “Summer boat and trailer storage fees” so as to change amount “\$15” to “\$20”, which shall read as follows:

**The fee for the storage of boats on a trailer shall be at the rate of \$20 per foot for the period April 1 through November 1. The daily fee for the storage of a boat and trailer shall be \$10 per day during this same period.**

- F. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-15, titled “Winter trailer storage fees” so as to change amount “\$120” to “\$150”, and to change the phrase “November 2 through March 31” to “September 15 through June 15” and shall read as follows:

**The fee for the storage of boat trailers not exceeding an overall length of 40 feet, without a boat, shall be \$150 for the period September 15 through June 15. The daily fee for the storage of these trailers, without a boat, shall be \$5 per day during this period.**

- G. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-16, titled “Winter boat and trailer storage fees; covering of boats stored at marina” so as to change amount “\$15” to “\$22”, and the phrase “November 2 through March 31” to “September 15 through June 15” and shall read as follows:

**The fee for the storage of boats on a trailer shall be at the rate of \$22 per foot for the period September 15 through June 15. For boats stored at the marina, boats must be stored uncovered, have custom covers or be professionally shrink-wrapped. No tarps will be allowed to cover boats. The daily fee for the storage of a boat and trailer shall be \$10 per day during this same period.**

- H. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-18, titled “Applicability” so as to insert new lettered item “C” under §293-18, which shall read as follows:

**C. No in water storage of any type is permitted in the Marina after November 30 and before April 1 of the following year.**

- I. The Borough Code of Seaside Park, Chapter 293 is hereby amended and supplemented under § 293-20, titled “Boat condition and operation” so as to insert new lettered item “D” under §293-20 which shall read as follows:

**D. All vessels occupying slips in the Marina must be fully operational and must be able to maneuver using their own power, except those vessels which are temporarily disabled in the discretion of the Marina Supervisor.**

## **SECTION II.**

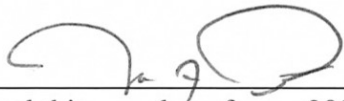
All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

## **SECTION III.**

In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

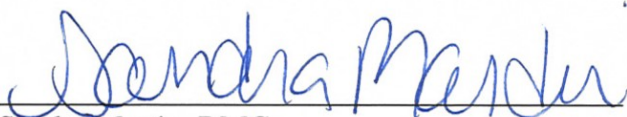
## **SECTION IV.**

This Ordinance shall take effect upon its final passage and publication as required by law, and thereafter on September 1, 2022.

  
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Approved this \_\_\_\_ day of \_\_\_\_\_, 2022:  
Borough of Seaside Park  
Honorable John A. Peterson Jr., Mayor

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and approved on first reading at the regular meeting of the Governing Body of the Borough of Seaside Park, in the County of Ocean, held on the 12th day of May, 2022 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 26<sup>th</sup> day of May, 2022 at 7:00 p.m. in the Council Chambers, located at 6<sup>th</sup> & Central Avenues, Seaside Park, New Jersey at which time and place any person desiring to be heard will be given an opportunity to be so heard.

  
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Sandra Martin, RMC  
Municipal Clerk, BOROUGH OF SEASIDE PARK