

BOROUGH OF SEASIDE PARK

ORDINANCE NO. 1656

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 200 ENTITLED "DEVELOPMENT REGULATIONS"

BE IT ORDAINED by the Borough Council of the Borough of Seaside Park, County of Ocean and State of New Jersey as follows:

SECTION 1. Section 200-40 of the Code of the Borough of Seaside Park entitled "Fences and Walls" is hereby amended in subsections C and D (underlined); and supplemented with a new subsection G as follows:

- C. Front Yard Setback Area. No fence constructed under this section within the front yard setback area of any lot developed with a one or two family dwelling shall exceed four feet in height. Any portion of the fence that exceeds three feet in height must remain fifty percent (50%) open to light and air. By way of example, a four foot fence may consist of a three foot solid fence with a one foot open air portion above the solid portion. Any portion of the fence that is more than three feet above adjacent grade must remain at least fifty percent (50%) open to light and air. By way of example, a four foot high fence may consist of a three foot solid portion with a one foot portion above the solid portion that is at least (50%) open to light and air.
- D. Waterfront lots. Notwithstanding any provision of this section to the contrary, in cases in which the developer's lot fronts on a body of water and is developed with a one or two family dwelling, any fence constructed within 15 feet of the water shall not exceed four feet in height. Any portion of the fence that exceeds three feet in height must remain fifty percent (50%) open to light and air. By way of example, a four foot fence may consist of a three foot solid fence with one foot open air portion above the solid portion. Any portion of the fence that is more than three feet above adjacent grade must remain at least fifty percent (50%) open to light and air. By way of example, a four foot high fence may consist of a three foot solid portion with a one foot portion above the solid portion that is at least (50%) open to light and air.
- G. The height limitations provided for in this section shall be applicable to lots developed with residential uses only. **G. Commercial Trash Enclosures.** Notwithstanding any provision of this section to the contrary, a six foot high solid fence shall be required around areas serving a commercial trash collection purpose.

SECTION 2. All other ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. In the event that any portion of this ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the ordinance actually adjudged to be invalid, and the remaining portions of this ordinance shall be deemed severable therefrom and shall not be affected.

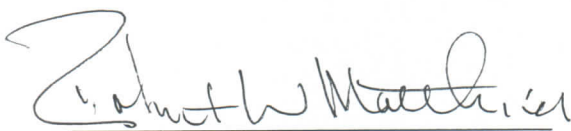
SECTION 4. This ordinance shall take effect upon final passage and publication in accordance with law.

NOTICE OF PENDING ORDINANCE

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall at 1701 North Ocean Avenue, Seaside Park, during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Borough who shall request such copies, at the office of the Municipal Clerk in said Borough of Seaside Park, in the County of Ocean, New Jersey.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on the first reading at the regular meeting of the Borough Council of the Borough of Seaside Park, in the County of Ocean, held on the 14th day of August 2014 and will be considered for second reading and final passage at the regular meeting of said governing body to be held on the 28th day of August 2014 at 7:00 PM at the Council Chambers, Municipal Building, Sixth & Central Avenues, Seaside Park, New Jersey at which time and place any person desiring to be heard upon same will be given an opportunity to be so heard.


Karen Barna, Borough Clerk


ROBERT MATTHIES, MAYOR

BOROUGH OF SEASIDE PARK

ORDINANCE NO. 1656

ORDINANCE NO. 1646 OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 200 ENTITLED "DEVELOPMENT REGULATIONS" as it pertains to Section 200-40 "Fences and Walls".

NOTICE OF ADOPTION

Please take notice that the above Ordinance No. 1656 was adopted upon final reading at the regular meeting of the Borough Council at a meeting held at Sixth and Central Avenues, Seaside Park, NJ on August 28, 2014.


Karen Barna
Borough Clerk

August 29, 2014