

**BOROUGH OF LONGPORT
COUNTY OF ATLANTIC
ORDINANCE 2025-04**

AN ORDINANCE AMENDING CHAPTERS 167-20 E

WHEREAS, the Borough of Longport Planning Board has considered a proposed Ordinance amendment to the development regulations contained in Subchapter 167-1 *et seq.* pertaining to bulkhead height and decks; and

WHEREAS, the Board has considered the proposed changes as follows:
Amend Section 167-20.E. of the ordinance regarding Bulkheads as follows (underline new and ~~strikethrough~~ is delete):

A. Bulkheads.

- (1) Bulkheads shall be classified as oceanfront or bayfront with the dividing line between the two being Atlantic Avenue. Oceanfront bulkhead design shall be prepared by a New Jersey licensed professional engineer ~~shall be either timber or concrete~~ with a finish cap top elevation ~~not higher than~~ of elevation 13.0 MSL and meet the minimum engineering standards on file in the Construction Code Official's Office.
- (2) Bayfront bulkhead design shall be prepared by a New Jersey licensed professional engineer ~~s shall consist of either concrete, steel, timber or vinyl piling with timber, steel, or vinyl sheeting~~ with a finish cap top elevation of not less than Elevation 9.75 (1988) nor more than 11.50 (1988).
- (3) Any residential structure which is substantially improved shall be required to replace the existing bulkhead in accordance with the above. The term "substantially improved" is defined under N.J.A.C. 7:13-1.2 and noted below for reference.

Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure as determined before the start of construction of the improvement. This term includes structures that have sustained substantial damage regardless of the actual repair work performed. Substantial improvement does not include:

a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

b. Any alteration of a building designated by the State as an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

Amend Section 167-11.D. of the ordinance regarding deck elevations in relation to bulkheads as follows (underline new and ~~strikethrough~~ is delete):

- D. Decks, porches, carports, and patios shall be permitted within the rear yard setback not closer to the rear property lines than 10 feet for the RSF-1 and RSF-2 Districts and five feet for the RSF-3 District. No decks, porches, carports, or patios shall be constructed

within the front or side yard setback areas. Lots having property lines adjoining the bulkheads along the Atlantic Ocean and the Intercoastal Waterway shall be permitted to project a first-floor unroofed deck or patio not higher than Elevation 13.5 ~~44.5~~ NAVD 1988 along the Atlantic Ocean and Elevation 13 ~~44.5~~ NAVD 1988 along the Intercoastal Waterway to the landward face of said bulkhead, provided that said bulkhead is within the property lines. Construction of said decks or patios adjacent to the concrete seawall shall terminate at the property line and shall in no case extend up to or over the concrete wall. On such permitted decks, porches, or patios, railing shall be limited to 42 inches above the finished height of the deck. Along the Atlantic Ocean and the Intercoastal Waterway, no decks extending to the bulkhead of the seawall shall be permitted within the side yard setbacks.

WHEREAS, The Borough of Longport Board of Commissioners have reviewed the proposed changes to the Ordinance and agree with the Longport Planning Board's proposed changes;

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of The Borough of Longport as follows:

Section 167-20E shall be amended as set forth above in this Ordinance.

Vote on First Reading: 2/19/2025 publication: 2/27/2025

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 st Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Armstrong		X	X			
Ulmer	X		X			
Lawler			X			
XX-indicates vote NV-not voting AB. - Absent						

Vote on Second Reading/Public Hearing: 3/19/2025 publication: 3/27/2025

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Armstrong			X			
Ulmer		X	X			
Lawler	X		X			
X-indicates vote NV-not voting AB. - Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

/s/ **MONICA A. KYLE, RMC, CMR**
MUNICIPAL CLERK

Borough of Longport
Signature page for Ordinance 2025-04
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Monica Kyle, RMC, CMR
Municipal Clerk

Mayor Patrick Armstrong

Commissioner Daniel Lawler

Commissioner Jim Ulmer