BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2026-22

ORDINANCE AMENDING CHAPTER 450: "ZONING" OF THE BOROUGH'S REVISED GENERAL ORDINANCES TO CLARIFY THAT A ZONING PERMIT IS REQUIRED FOR IMPROVEMENTS WITHIN PUBLIC EASEMENTS, RIGHTS-OF-WAY, AND PLANTING STRIPS.

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 450: "Zoning" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 450: "ZONING"

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ARTICLE XVI: "VIOLATIONS AND PENALTIES"

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§ 450-79 Administration; enforcement; zoning permits; violations.

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C. Zoning permits.

(1) When required. A zoning permit shall be issued prior to:

(a) The commencement or change of a use of a property, building or structure;

(b) The commercial occupancy of any building or structure; or

(c) The construction, erection, reconstruction, alteration, conversion, or installation of any building or structure, including structures located within public easements, rights-of-way, and planting strips.

(2) Submission requirements. Every application for a zoning permit shall be accompanied by three copies of a current survey/site plan and three sets of construction plans. All submissions shall be also be simultaneously submitted in electronic format, to scale where appropriate, by the applicant. Surveys must show the existing conditions and exact location of physical features, including metes and bounds, drainage, waterways, specific utility locations and easements, all drawn to scale. All surveys must be prepared by a land surveyor. Survey information may be transposed to a site plan if the date of the survey and by whom and for whom it was prepared is noted on the site plan. Vegetation, general flood plain determinations or general location of existing utilities, buildings or structures may be shown by an architect, planner, engineer, land surveyor, or certified landscape architect. All plans must display the actual shape and dimensions of the lot to be built upon, the

exact location, size and height of all existing and proposed structures and substructures (drawn to scale), the number of dwelling units the structure is designed to accommodate, the number and location of off-street parking spaces and off-street loading areas and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of the Zoning and Land Development[III] Ordinances of the Borough.

(3) A zoning permit shall be granted or denied, in writing, within 10 business days from the date of a complete application submission, unless additional time is agreed upon. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on an actual survey of the lot by a land surveyor licensed in the State of New Jersey. No zoning permit shall be issued for any structure until prior site plan, subdivision and variance approvals as may be necessary, have been granted by the appropriate board in accordance with the provisions of the Zoning and/or Land Development Ordinances of the Borough and until all review and inspection fees and all local taxes and assessments on the property have been paid.

(4) The fee for an application for a zoning permit shall be $75, which fee shall be paid at the time of application.

(5) The fee for a zoning determination shall be $150 per property, which fee shall be paid at the time of application.

(6) Temporary zoning permits may be issued by the Zoning Officer for the location of temporary trailers permitted by this code for a period not to exceed one year; however, the permit may be renewed for like periods until completion of construction. Such permits may be revoked or reissue refused in the event that the trailer is no longer used for the purposes for which the permit was issued or the use discontinued, subject to the penalties for violation of this chapter.

(7) Any zoning permit is valid for a period of two years from the date of approval.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.

Erica Kostyz
Municipal Clerk

Alan Gubitosi
Mayor

Introduced: March 17, 2026

Date of Hearing and Adoption: April 7, 2026