BOROUGH OF SEASIDE PARK
ORDINANCE 2026-22

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 200 OF THE BOROUGH CODE OF THE BOROUGH OF SEASIDE PARK, ENTITLED "DEVELOPMENT REGULATIONS" TO AMEND SUBSTANTIAL DAMAGE REGULATIONS

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

SECTION 1. §200-42 of Chapter 200 of the Borough Code of the Borough of Seaside Park, entitled "Flood damage prevention" shall hereby be amended and supplemented so as to remove the ten-year look back period from the definitions for "Accumulative Substantial Improvement," "Substantial Damage" and "Substantial Improvements" in §200-42D, and which subsection shall be read as follows:

§200-42D

ACCUMULATIVE SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure that equals or exceeds 50% of the market value of the structure at the time of the improvement or repair

SUBSTANTIAL DAMAGE — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT— Any reconstruction, rehabilitation, addition, or other improvement of a structure the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. "Substantial improvement" also means "accumulative substantial improvement." The term includes structures which have incurred substantial damage, regardless of the actual repair work performed, or repetitive loss. The term does not, however, include either:

(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 historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect upon its passage and publication and filing with the Ocean County Planning Board, and as otherwise provided for by law. However, subsequent to first

reading, this ordinance must be referred to the Borough Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

Mayor John A. Peterson, Jr.
Approved this 18th day of June 2026

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Park held on the 21st day of May 2026, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 18th day of June, 2026 at 7:00 p.m., in Council Chambers located at Sixth & Central Avenues, Seaside Park, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

JENNA JANKOWSKI, RMC, CMR, QPA
Borough Clerk, Borough of Seaside Park