

BOROUGH OF POINT PLEASANT BEACH
OCEAN COUNTY, NEW JERSEY

Ordinance 2026-07

**ORDINANCE AMENDING CHAPTER 19 TITLED “DEVELOPMENT” TO
ESTABLISH STANDARDS FOR GAZEBOS AND PERGOLAS**

WHEREAS, the development regulations of the Borough of Point Pleasant Beach do not currently define or establish standards for gazebos and pergolas, thus requiring homeowners to obtain variance relief to maintain same; and

WHEREAS, the governing body seeks to amend its development regulations to allow for gazebos and pergolas within certain standards without the need for variance relief along with associated modifications.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Point Pleasant Beach in the County of Ocean, State of New Jersey, as follows:

SECTION 1. Chapter 19, Section 7, Subsection 1 titled “Definitions” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows (underlined text added; ~~stricken~~ text removed):

§ 19-7.1. Definitions.

GAZEBO - An accessory building consisting of a detached, covered, freestanding, open-air structure.

PERGOLA - An accessory structure of parallel colonnades supporting an open roof of crossing rafters or trelliswork.

SECTION 2. Chapter 19, Section 9, Subsection 1 titled “LR, SF-2 and SF-5 Single Family Residential Districts” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows (underlined text added; ~~stricken~~ text removed):

b. Accessory Uses Permitted

5. Gazebos and pergolas (see Subsection 19-11.1(a)(2) for standards)

SECTION 3. Chapter 19, Section 9, Subsection 2 titled “HR High Density Residential District” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows (underlined text added; ~~stricken~~ text removed):

b. Accessory Uses Permitted

5. Gazebos and pergolas (see Subsection 19-11.1(a)(2) for standards)

SECTION 4. Chapter 19, Section 9, Subsection 3-1 titled “RR-1 Resort Residential-1” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows (underlined text added; ~~stricken~~ text removed):

b. Accessory Uses Permitted

5. Gazebos and pergolas (see Subsection 19-11.1(a)(2) for standards)

SECTION 5. Chapter 19, Section 9, Subsection 9 titled “Limited Commercial” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows (underlined text added; ~~stricken~~ text removed):

b. Permitted Accessory Uses

4. Gazebos and pergolas (see Subsection 19-11.1(a)(2) for standards)

SECTION 6. Chapter 19, Section 11, Subsection 1 titled “Accessory Buildings” of the Point Pleasant Beach Municipal Code is hereby amended and supplemented as follows (underlined text added; ~~stricken~~ text removed):

a. General. Accessory buildings and uses, except as otherwise permitted in this chapter, shall be subject to the definition of § 19-7 and the provisions of the various subsections of the section.

1. The following regulations and § 19-9 shall apply to all proposed sheds constructed within the Borough of Point Pleasant Beach:

(a) No shed shall exceed 120 square feet in area. The maximum size limit is subject to compliance with building and impervious coverage requirements.

(b) No shed shall exceed ten feet in height.

(c) All sheds shall be located in rear of the property and behind the rear building line.

(d) No one wall length shall exceed 12 feet.

(e) No shed shall encroach within the setbacks as established in § 19-9.

(f) No shed shall be located within five feet of any other structure on the property.

(g) Sheds located within the Borough of Point Pleasant Beach shall be anchored in such a manner to resist toppling from wind and flotation from flood waters.

(h) Sheds shall be limited to one per property.

(i) Per 19-11.1 i below, a permit shall be required to erect or otherwise install a shed.

2. The following regulations and § 19-9 shall apply to all proposed gazebos and pergolas constructed within the Borough of Point Pleasant Beach:

(a) No gazebo or pergola shall exceed 250 square feet in area. The maximum size limit is subject to compliance with building and impervious coverage requirements.

- (b) No gazebo or pergola shall exceed 12 feet in height.
 - (c) No gazebo or pergola shall encroach within the accessory yard setbacks as established in § 19-9 for their respective zone. Such structures shall be located in rear or side yard areas only and shall meet the setback distances for accessory buildings as specified in § 19-9 for each particular zoning district. On a corner lot, the structure shall be set back from the side street to comply with the setback line applying to the principal building for that side street.
 - (d) No gazebo or pergola shall be located within five feet of any other structure on the property.
 - (e) Gazebos and pergolas located within the Borough of Point Pleasant Beach shall be anchored in such a manner to resist toppling from wind and flotation from flood waters.
 - (f) No property shall have more than one gazebo or pergola, regardless of size.
 - (g) Per 19-11.1(i), a permit shall be required to erect or otherwise install a gazebo or pergola.
- b. Prior Construction Prohibited. An accessory building shall not be erected, nor shall an accessory use be permitted, prior to the construction of the main building, or the establishment of the principal use, upon the lot.
 - c. Accessory Buildings as Part of Principal Buildings. Any accessory building attached to a principal building shall be considered part of the principal building, and the total structure shall adhere to the yard requirements for the principal building regardless of the technique of connecting the principal and accessory buildings.
 - d. Distance Between Adjacent Buildings. The minimum distance between an accessory building and any other building(s) on the same lot shall be as prescribed in § 19-9.
 - e. Height of Accessory Buildings. The height of accessory buildings shall be as prescribed in § 19-9.
 - f. Location. An accessory building may be erected in side and rear yard areas only and shall be set back from side and rear lot lines as prescribed in § 19-9, except that if erected on a corner lot, the accessory building shall be set back from the side street to comply with the setback line applying to the principal building for that side street.
 - g. Residence Prohibited. No accessory building shall be used or occupied for residence purposes.
 - h. Advertising. A display of products or services rendered, signboard or advertising sign of any nature shall in no case be permitted as an accessory use, or part thereof. Any such signs, advertising, etc., which are permitted, shall conform with all requirements

and regulations of any present and/or subsequent ordinances of the Borough of Point Pleasant Beach, regulating the use of signs.

- i. Shed Permits and Other Requirements. A permit shall be required to erect a shed, gazebo, pergola, or similar structure, accessory to buildings of use group R-2, R-3 or R-4 in accordance with § 19-9 and Subsection 19-11.1 of the Point Pleasant Beach Development ordinances. The fee for said permit shall be fifty (\$50.00) dollars and shall be obtained through the Zoning Officer.
1. Accessory sheds, gazebos, and pergolas proposed for buildings of other than Use Groups R-2, R-3 and R-4 require a zoning permit and a Uniform Construction Code permit from the Construction Official.

SECTION 7. Severability.

The provisions of this Ordinance shall be severable. 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 the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 8. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 9. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

Introduced: March 3, 2026

Adopted: March 17, 2026

The foregoing ordinance is approved this 17th day of March 2026:

Douglas R. Vitale, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Governing Body of the Borough of Point Pleasant Beach, in the County of Ocean, State of New Jersey, on March 3, 2026. It was further considered for final passage, and was adopted, after second reading and public hearing thereon, at a regular meeting of the Governing Body held in the Council Chambers at Borough Hall, 416 New Jersey Avenue, Point Pleasant Beach, NJ, on March 17, 2026, which began at 7:30 p.m., at which time and place any person desiring to be heard was given an opportunity to be so heard. During the week prior to and up to and including the date of such meeting, copies of the full ordinance was available at no cost for the members of the general public in the Municipal Building, 416 New Jersey Avenue, Point Pleasant Beach, NJ 08742 and on the Borough's website: (<https://www.pointpleasantbeach.org/223/New-Ordinances>) or could be obtained by calling the Borough Clerk (732/892-1118, extension 210) during the hours of 9AM to 4PM.

EILEEN A. FARRELL, RMC
Municipal Clerk