

ORDINANCE 2016-11

ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER IX ENTITLED "RECREATIONAL FACILITIES" AS IT AFFECTS THE DOCKAGE OF BOATS

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

SECTION 1. Section 9-2.2 of the Code of the Borough of Beachwood entitled, "Launching Restrictions" is hereby amended at the second to last sentence to delete the word "easterly" and to insert the word "westerly" in its place and stead.

SECTION 2. Section 9-2.4 of the Code of the Borough of Beachwood entitled, "Tying Up Boats Except at Designated Areas Prohibited", is hereby deleted and in its place instead the following shall be inserted:

"9-2.4 Tying Up Boats Except at Designated Areas Prohibited.

No person, firm or corporation shall tie up a boat except at designated areas, such designated areas being the slips rented by the Borough of Beachwood.

a. Rental of such slips shall be restricted to owners of homes located within the Borough of Beachwood or residential tenants within the Borough of Beachwood until such time as the waiting list consisting of owners of homes within the Borough or residential tenants within the Borough is exhausted. When the aforementioned waiting list is exhausted, boat slips shall be offered to individuals not meeting the description provided above on a first-come, first-serve basis with the specific understanding that said individuals shall have no guaranteed right of renewal the following year in the event additional property owners in Beachwood or residential tenants within the Borough of Beachwood place their name on the waiting list. Under no circumstances is more than one (1) boat slip to be rented to a single residential address or nonresidential address should the residential address become exhausted. Fees for rental of Borough-owned slips shall be:

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|------|--|----------|
| i. | Thirty-five (35') foot slip with catwalk | \$780.00 |
| ii. | Thirty (30') foot slip with catwalk | \$690.00 |
| iii. | Thirty (30') foot without catwalk | \$500.00 |

b. Boat Slip Rules & Regulations.

- i. Those applying for a slip must present the title to their boat at the time of application and execution of their boat slip agreement. Title must be in the name of an individual who is a home owner or renter in Beachwood. If applying as a non-resident the same rule applies for ownership of the boat. The applying party must certify the overall boat length and width and, if an outboard motor is powering the boat, the length shall include the motor in a downward or in water position.
- ii. The rental season shall begin on April 1st of each year and end on October 31st. Once the season has commenced there will be no refunds. If cancelled 45 days prior to season commencement, a refund of \$200.00 may be made upon submission of a request and the reason therefor. The Governing Body shall review and approve or disapprove of said request.
- iii. There shall be no assignment or subletting of the boat slips.
- iv. No individuals shall reside on any boat docked at the Borough Marina.
- v. Boats are to be properly secured and shall fit into the designated slips contracted for by said resident or non-resident. If they do not fit and any monies paid by said renter shall be forfeited to the Borough.
- vi. All park rules and regulations of the Borough shall apply to individuals conduct at the Borough Marina facility.
- vii. Boats occupying Borough owned slips which are non-compliant with the provisions of this Chapter shall be subject to fines pursuant to the provisions of this Chapter.

SECTION 3. Section 9-3 of the Code of the Borough of the Beachwood entitled, "Violations and Penalties" is hereby deleted and in its place instead the following shall be inserted:

"9-3. VIOLATIONS AND PENALTIES. The violation of any provision of this Ordinance shall be punishable by a fine of not more than five hundred dollars (\$500.00) for each

offense. Imprisonment in addition to or in lieu of fine, may also be imposed, not to exceed ninety (90) days for each violation.”

SECTION 4. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Accepted as Introduced August 17, 2016 Roll Call

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilman Cairns</i>	X		X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>			X			
<i>Councilman Komsa</i>		X	X			
<i>Councilman LaCrosse</i>						X
<i>Councilman Zakar</i>			X			

 Susan A. Minock, RMC
 Municipal Clerk – Borough of Beachwood

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Beachwood, in the County of Ocean, held on the day of August 17, 2016 and will be considered for second reading and final passage at a regular meeting of said governing body to be held on the 17th day of August, 2016 at 7:00 p.m. at the Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey at which time and place any person desiring to be heard upon the same will be given an opportunity to be so heard.

 SUSAN A. MINOCK, RMC
 Municipal Clerk

Adopted on September 21, 2016 Roll Call

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilman Cairns</i>			X			
<i>Councilwoman Clayton</i>			X			
<i>Councilman Feeney</i>		X	X			
<i>Councilman Komsa</i>			X			

<i>Councilman LaCrosse</i>	X		X			
<i>Councilman Zakar</i>			X			

 Susan A. Minock, RMC
 Municipal Clerk – Borough of Beachwood

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NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Beachwood, in the County of Ocean, held on the day of August 17, 2016 and was considered for second reading and final passage at a regular meeting of said governing body held on the 21st day of September, 2016 at 7:00 p.m. at the Beachwood Municipal Complex, 1600 Pinewald Road, Beachwood, New Jersey at which time and place any person desiring to be heard upon the same will be given an opportunity to be so heard.

 SUSAN A. MINOCK, RMC
 Municipal Clerk

ADOPTED September 21, 2016

ATTESTED BY:

 Ronald F. Roma, Jr., Mayor

 Susan A. Minock, RMC
 Municipal Clerk