

ORDINANCE NO. 2022-14

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XL, DEVELOPMENT REGULATIONS OF
THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF BELMAR SECTION 2, DEFINITIONS AND SECTION 9,
IMPROVEMENT STANDARDS**

WHEREAS, the Borough of Belmar seeks to amend Sections of the Development Regulations to amend Chapter 40 entitled Development Regulations; and

NOW, THEREFORE BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey that Chapter 40 Development Regulations of the Borough of Belmar, Revised General Ordinance is amended and supplemented as follows:

SECTION I. Chapter 40, Section 2.4, Definitions, shall be amended as follows:

LOT COVERAGE

Shall mean the impervious area of a lot. Lot coverage includes the area of a lot covered by buildings and structures and accessory buildings or structures and is expressed as a percentage of the total lot area. For the purpose of this chapter, total lot coverage shall include 50% of all Permeable Interlocking Concrete Pavement Systems, stone, or gravel surface area for driveway or parking of automobiles. ~~all stone or gravel surface area. This calculation excludes excluding~~ the use of stone in association with landscape plantings or vegetative beds, ~~all other impervious surfaces and all parking areas and automobile access driveways and internal roadways, whether covered by an impervious or pervious material, except as indicated on the zone district schedule of regulations.~~

IMPERVIOUS AREA

Shall mean the surface area of a lot covered by principal and accessory buildings and structures. Impervious area shall include all parking areas, automobile access driveways and storage areas, patios, walkways, decks, and all other impervious surfaces (except as indicated on the zoning district requirements) which do not allow for the direct percolation of rain and storm water. For the purpose of this chapter, permeable interlocking concrete or brick pavement constructed in accordance with the Interlocking Concrete Paving Institute (ICPI) Technical Specification #18: Construction of Permeable Interlocking Concrete Pavement Systems, loose stone, gravel, and unroofed boardwalk type decks which allow for some percolation of storm water shall be calculated as only 50% impervious, provided the subsurface beneath the permeable paver be free draining material of a minimum thickness of twelve (12) inches.

SECTION II. Chapter 40, Section 8.3 Design Standards – General Site Design, shall be amended and supplemented with the new subsection:

(g). Construction of Permeable Interlocking Concrete Pavement Systems, loose stone, unroofed boardwalk type decks, as defined in Section 2.4, shall be accompanied by:

- (1) a graphic depicting the depths of:
 - a. Concrete Pavers;
 - b. Permeable Joint Material;
 - c. Open graded bedding course; and/or
 - d. Open graded base reservoir(s) where applicable.
- (2) A Construction Detail and/or Manufacturer Specification demonstrating the permeability of the construction material.

SECTION III. Chapter 40, Section 40-9.2(b), Improvement Standards - Off-Street Parking, shall be amended as follows:

5. Location of Parking.

- (a) Parking is only permitted in parking areas and drives intended for that purpose. Parking is not permitted in lawns or other unimproved areas.
- (b) Parking areas shall not be located in any required front yard, except for single-family and two-family residential units with a conforming driveway.
- (c) For a residential dwelling unit, a one-car garage and driveway combination shall count as 1.75 off-street parking spaces, provided the driveway measures a minimum of 30 feet in length between the face of the garage door and the sidewalk, or 30 feet to the curblineline or cartway of the street if there is no sidewalk. A two-car garage and driveway combination shall count as 3.5 off-street parking spaces, provided the minimum width of the driveway is 20 feet and its minimum length is as specified above for a one-car garage.
- (d) Parking spaces may be on, above, or below the surface of the ground, but may not be located in a front or side lawn area. When parking spaces are provided within a garage or other structure, said structure shall adhere to the proper accessory or principal building setbacks, as applicable.

SECTION IV. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION V. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION VI. This Ordinance shall take effect 20 days after final passage, adoptions and publication according to law.

ORDINANCE NO. 2022-18

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 29,
SECTION 7.9, OF THE BOROUGH CODE ENTITLED “AUTOMATIC
SPRINKLER AND STANDPIPE SYSTEM CONNECTIONS”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 2-7 of the Borough Code be amended as follows:

SECTION I. Section 29-7.9, shall be amended and supplemented to now read as follows:

29-7.9 Automatic Sprinkler and Standpipe System Connections.

For each connection to be used exclusively for the extinguishment of fires, there shall be an annual charge in advance for water service as follows:

- a. Connection of four inches or smaller, per year: \$200.
- b. Connection of five inches or six inches per year: \$400.
- c. Connection size regulations: The size of a private fire service connection shall in no case exceed six inches in diameter.
- d. Provisions for charges: The rates provided by this subsection shall be available only for service connections used exclusively for the extinguishment of fires. No additional charges shall be made for sprinkler heads, fire hydrants or other fire service connection, and no charge shall be made for water used in extinguishing fires where service is furnished under this subsection. If the consumer desires to use water for general purposes through the same connection, or if any private service connection is used for unauthorized purposes, then the service connection shall be metered and the consumer charged the rates provided for water service and sewer service in Subsection 29-7.2 preceding.
- e. Billing of the above-mentioned rates shall occur on an annual basis with payments being due by July 1st. Payments received after July 10th will be subject to an 18% interest charge, charged per *annum* that the balance remains unpaid.

SECTION II If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

**BOROUGH OF BELMAR
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 2022-19

**BOND ORDINANCE REAPPROPRIATING \$1,480,853.18 IN EXCESS
BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES
IN ORDER TO FINANCE THE COST OF VARIOUS MARINA
INFRASTRUCTURE IMPROVEMENTS, AUTHORIZED IN AND BY THE
BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW
JERSEY**

WHEREAS, the Borough Council of the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough") finally adopted Bond Ordinance No. 2015-22 on June 3, 2015, Bond Ordinance No. 2015-24 on July 7, 2015, and Bond Ordinance No. 2019-32 on November 6, 2019 (collectively, the "Ordinances"); and

WHEREAS, following the effective dates of the Ordinances, the Borough issued bonds to fully fund same and to finance the improvements or purposes authorized therein; and

WHEREAS, the Borough has determined that the improvements set forth in the Ordinances have either been completed in full or discontinued as a result of events occurring subsequent to the adoption of the Ordinances, as applicable; and

WHEREAS, there currently remains on deposit in the Borough capital accounts excess bond proceeds in the amount of \$1,480,853.18, which excess bond proceeds are allocable to such project improvements in the Ordinances (the "Excess Proceeds"), but no longer necessary to complete such improvements or purposes authorized therein; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), the Borough Council has determined that it is in the best interest of the Borough to reappropriate the Excess Proceeds to finance the cost of various marina infrastructure improvements, for which improvements bonds may be issued, thereby, decreasing the amount of additional Borough debt to finance such current capital needs; and

WHEREAS, the Borough Council now desires to reappropriate the Excess Proceeds to undertake the cost of various marina infrastructure improvements for the Borough.

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. It is hereby determined that the aggregate amount of \$1,480,853.18 of the balance of the appropriation for capital purposes originally made available pursuant to the

following Ordinances of the Borough is no longer necessary for the purposes for which the obligation previously was authorized:

<u>Amount to be Reappropriated</u>	<u>Ordinance & Purpose</u>
\$1,480,853.18	No. 2015-22 adopted June 3, 2015, as amended by No. 2015-24 adopted on July 7, 2015, as amended by No. 2019-32 adopted on November 6, 2019, providing for the Lake Como Outfall Project, including all work and materials necessary therefor and incidental thereto.
<u>\$1,480,853.18</u>	Total to be reappropriated to other capital purposes.

Section 2. The appropriation for the purposes in the amount set forth in Section 1 hereof is hereby canceled and reappropriated pursuant to N.J.S.A. 40A:2-39 to other capital purposes as set forth in Section 3 hereof.

Section 3. The aggregate amount of \$1,480,853.18, representing the amount referred to in Section 1 hereof, is hereby appropriated to provide for the following capital improvement purposes, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough, and the estimated cost of each project is as follows:

<u>Amount to be Appropriated</u>	<u>Purpose</u>
<u>\$1,480,853.18</u>	Marina infrastructure improvements for the Borough, including, but not limited to, electrical upgrades to various docks.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are property or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance is fifteen (15) years.

(c) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose herein before described.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 6. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bond proceeds reappropriated by this bond ordinance.

Section 7. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption.