

**ORDINANCE 2019-09**

**ORDINANCE OF THE BOROUGH OF BELMAR, AMENDING VARIOUS CHAPTERS OF THE REVISED GENERAL ORDINANCES TO REMOVE SECTIONS REGARDING BONFIRES**

**WHEREAS**, the Borough of Belmar wishes to amended various chapters of the Revised General Ordinances by deleting the following sections in relation to bonfires:

**SECTION I. 4-4 DIVISION OF TREASURY; FUNCTIONS.**

- e. Fees for the Use of Public Property. The following "Schedule A" of fees shall be charged from and after the effective date of this paragraph. The Borough Council shall designate from time to time, by resolution, a revised "Schedule A" setting forth all fees for use of Borough property and said resolution shall be on file in the office of the Borough Clerk. The fees set forth in Schedule A may be waived for a nonprofit or not-for-profit organization or an organization which is recognized as a charitable organization by the State of New Jersey or the Federal government, and which provides proof of the same, if the organization provides a Borough of Belmar designated in-kind service which is approved by the Borough Administrator. The Borough Council may adopt rules for the use of any Public Property by resolution. (Ord. No. 2017-06 § 1)

**Editor's Note:** Schedule A fees now adopted by Resolution of the Borough Council.

**SCHEDULE A JOHN A. TAYLOR PAVILION:**

~~WEDDING/EVENT PACKAGE: RECEPTION & BONFIRE~~

|   |   |
|---|---|
| <del>-</del>                                    | <del>-</del>  |
| <del>-</del>                                    | <del>Full Taylor Rental with Bonfire</del>  |
| <del>-</del><br><del>Application Fee</del>      | <del>-</del><br><del>\$100.00</del>   |
| <del>-</del><br><del>Facility Fee</del>         | <del>-</del><br><del>\$1,500 (includes fire permits and eight hours of facility usage)</del>    |
| <del>-</del><br><del>Security deposit+</del>    | <del>-</del><br><del>\$500.00</del>   |
| <del>-</del><br><del>Cleaning Requirement</del> | <del>-</del><br><del>Broom Clean + Cleaning Company if required by Business Administrator</del> |
| <del>-</del><br><del>Insurance++</del>          | <del>-</del><br><del>Required</del>   |
| <del>-</del><br><del>Police</del>               | <del>-</del><br><del>Required as specified in approval.</del>                                   |

**SECTION II. ~~28-1.13.7 OPEN BURNING~~**

~~Open burning for any reason is hereby prohibited except where permits have been obtained from the Fire Official. Open burning is defined as the burning of any material, in anything other than an approved device, or in an uncontained manner.~~

**SECTION III. 18-2.7 Rules and Regulations.**

- y. No person shall build, start, or make any fire on any portion of the beachfront, ~~except the beach designated in subsection 18-2.2c, and except upon the issuance of a special permit from the Borough Fire Official. The Fire Official shall issue such a permit only upon compliance by the applicant with the requirements of Sections F-300.1 et seq. of the State Fire Prevention Code,~~

~~including the requirement of Section F-301.2 pertaining to prior approval of the New Jersey Department of Environment Protection. The permit shall explicitly state all limitations, conditions, and restrictions imposed on the applicant by the Borough Fire Official.~~

**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 adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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

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

**ORDINANCE 2019-10**

**AN ORDINANCE OF THE BOROUGH OF BELMAR, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Belmar in the County of Monmouth finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 124,398.92 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Belmar, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Belmar shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$435,396.22, and that the CY 2019 municipal budget for the Borough of Belmar be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**ORDINANCE 2019-11**

**ORDINANCE OF THE BOROUGH OF BELMAR, AMENDING SECTION 4-4  
DIVISION OF TREASURY FUNCTIONS, ESTABLISHING FEES FOR USE OF  
MARINA ELECTRONIC SIGN**

**WHEREAS**, the Borough of Belmar wishes to amend Section 4-4 of the Revised General Ordinances as follows:

**SECTION I.**

4-4 DIVISION OF TREASURY; FUNCTIONS.

*g. Fees for advertisement and use of the electronic marina sign.* Businesses located in the Borough of Belmar, which hold a valid Mercantile License, shall be permitted to advertise on the electronic sign located at the marina upon payment of the following fees:

May-September - \$300 per a month

October-April - \$150 per a month

**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.

**ORDINANCE NO. 2019-12**

**AN ORDINANCE OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR BOROUGH WIDE ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES FOR THE BOROUGH OF BELMAR AND APPROPRIATING \$979,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$610,500 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION), AND PROVIDING FOR THE ISSUANCE OF \$979,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BELMAR TO FINANCE THE SAME.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$979,000 (including \$610,500 expected to be received in a grant from the State of New Jersey, Department of Transportation). No down payment is required as this bond ordinance involves a project funded by State grants or other similar programs, within the meaning of N.J.S.A. 40A:2-11(c).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$979,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is a Borough-wide road project, including, but not limited to, paving, sidewalk and curbing improvements and roadway projects at various Borough locations, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$979,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$178,500 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 purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the costs of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with



the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

**ORDINANCE NO. 2019-13**

**AN ORDINANCE OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES FOR THE BOROUGH OF BELMAR AND APPROPRIATING \$318,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$302,100 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BELMAR TO FINANCE THE SAME.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$318,000 and including \$15,900 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$302,100 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued include, but are not limited to, roof renovation and HVAC

replacement for the Borough Administration Department; locker room renovations and acquisition of a fingerprint machine, gators and golf carts for the Borough Police Department, acquisition of yard doors for the Borough Department of Public Works and improvements to Borough fire houses, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the

description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the

authorization of the bonds and notes provided in this bond ordinance by \$302,100 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$75,000 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 purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the costs of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as

amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

**ORDINANCE NO. 2019-14**

**AN ORDINANCE OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VEHICLES, A 911 SYSTEM AND COMPUTER EQUIPMENT AND RELATED EXPENSES FOR THE BOROUGH OF BELMAR AND APPROPRIATING \$390,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$370,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF BELMAR TO FINANCE THE SAME.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$390,000 and including \$19,500 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$370,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of vehicles and computer equipment, including, but not limited to, a 911 System/dispatch and various vehicles for the Borough Police Department and various computer equipment and work order stations for the Borough Department of Public Works, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the



description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 7.73973 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the

authorization of the bonds and notes provided in this bond ordinance by \$370,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$25,000 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 purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the costs of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as

amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

ORDINANCE NO. 2019-15

AN ORDINANCE OF THE BOROUGH OF BELMAR AMENDING  
CHAPTER 19, SCHEDULE 30.1 MID-BLOCK CROSSWALKS OF  
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF  
BELMAR

**BE IT HEREBY ORDAINED** by the Borough Council of the Borough of Belmar that Chapter 19 Schedule 30.1 Mid-block Crosswalks of the General Revised Ordinances of the Borough of Belmar is hereby amended as follows:

**NOTE:** The amended figures for Chapter 19, Schedule 30.1 Mid-block Crosswalks are set forth below. All additions are shown in ***bold italics with underlines***. All ~~deletions~~ are shown in ~~***bold italics with strikeouts***~~. All other portions of Chapter 19, Schedule 30.1 Mid-block Crosswalks will remain unchanged.

Schedule 30.1 Mid-block Crosswalks shall be amended to include the following:

Street

Location

***16th Avenue (County Route 18)***

***Beginning at a point 358 feet east of the easterly extended curb line of the intersection of State Highway 71 and 16th Avenue extending to a point 8 feet further east***

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XL, DEVELOPMENT REGULATIONS, SECTION 40-3.14 FEES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Borough of Belmar wished to amend certain sections of the ordinance relating to escrow fees for development applications;

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

**Section I.** Chapter XL, Development Regulations, is hereby amended and supplemented as follows:

**40-3.14 Fees.**

The developer shall, at the time of filing an application, pay a nonrefundable fee to the Borough of Belmar by cash, certified check, or bank draft in accordance with the current fee schedule adopted by the Borough Council on file in the Borough Clerk's office. The fee to be paid shall be the sum of the application fees for the component elements of the plat or plan plus the refundable application escrow fee. Proposals requiring a combination of approvals such as subdivision, site plan, and/or variance, shall pay a fee equal to the sum of the fee for each element.

a..... *Application for Development Zoning Permit.* Fees to be set by resolution.

b..... *Minor Subdivision Approval.*

- ~~1..... Each Informal Review..... \$100.00~~
- 12..... Application Fee..... \$400.00 (\$200.00 plus \$100.00/lot)

c..... *Major Subdivision Approval.*

- ~~1..... Each Informal Review..... (\$200.00 plus \$5.00/lot)~~
- 12..... Preliminary Application Fee..... \$400.00 (\$200.00 plus \$100.00/lot)
- 23..... Final Plat Application Fee..... \$300.00 (\$250.00 plus \$50.00/lot)

d..... *Minor Site Plan Approval.*

- ~~1..... Each Informal Review..... \$100.00~~
- 12..... Application Fee..... - \$1000. - \$100.00
- ~~3..... For each 1,000 square feet of lot area..... \$ 20.00~~
- ~~4..... For each 500 square feet of floor area..... \$ 20.00~~
- ~~5..... For each parking space..... \$ 25.00~~

e..... *Major Site Plan Approval.*

- ~~1..... Each Informal Review..... \$250.00~~
- ~~..... \*Plus \$750-\$50 per acre sliding scale~~
- 21..... Preliminary Application Fee..... \$2000.00 \$200.00
- ~~(a)..... Residential—the sum of:~~
  - ~~(1)..... For each new dwelling unit, plus..... \$50.00~~
  - ~~(2)..... For each remodeled, reconstructed, refurbished or rehabilitated dwelling unit, plus..... \$ 25.00~~
  - ~~(3)..... For each new or additional parking space:~~
    - ~~(a)..... First 100 spaces, plus..... \$ 25.00~~
    - ~~(b)..... Over 100 spaces, plus..... \$ 10.00~~

Additions are indicated by underline; and, deletions by ~~strikeout~~.

~~(4).... For each reconstructed, surfaced or improved existing paved parking space, plus..... \$ 5.00~~

(b).... Other Uses.

..... The sum of ~~\$500.00~~ 100.00 plus

~~(1).... For each full 1,000 square feet of lot area..... \$ 20.00; or~~

~~(2).... For each full 500 square feet of proposed new gross floor area..... \$ 50.00; or~~

~~(3).... For each proposed new or additional parking space..... \$ 25.00; or~~

~~(4).... For each 1,000 square feet of remodeled existing gross floor area, plus..... \$ 25.00; or~~

~~(5).... For each reconstructed, resurfaced or improved existing paved parking space, plus..... \$ 15.00; or~~

~~(6).... For each proposed freestanding sign..... \$ 50.00; or whichever is greater.~~

3.... Final Approval - ~~\$750.00~~ Fifty percent of the fees for preliminary approval noted above.

f..... *Variances.*

1.... Appeals (N.J.S.A. 40:55D-70a)..... ~~\$250.00~~ \$150.00

2.... Interpretation of the Zoning Regulations or map (N.J.S.A. 40:55D-70b)..... \$250.00

3.... Hardship or bulk variance N.J.S.A. (40:55D-70c)..... ~~\$200.00~~ \$100.00/residential  
\$400.00 ~~\$300.00~~/commercial

4.... Use Variance (N.J.S.A. 40:55D-70d)

(a).... Proposed single and/or 2-family residential uses..... ~~\$300.00~~ \$150.00

(b).... Other than a. above uses with floor areas totaling 5,000 square feet or less..... ~~\$450.00~~ \$300.00

(c).... Uses other than a. above with floor areas totaling 5,000 square feet or more..... ~~\$650.00~~ \$500.00

5.... Building permit in conflict with official map or building permit for lot not related to a street (N.J.S.A. 40:55D-34, 40:55D-35)..... \$250.00

g.... Conditional Uses..... ~~\$350.00~~ 250.00

q. *Refundable Application Escrow Fees.* The fees required by this subsection shall be for the purpose of reimbursing the Borough for direct fees, costs, charges and expenses made by the professional consultants retained by or on behalf of the Borough and/or its boards, commissions or agencies in reviewing, testifying and/or assisting the Borough in the evaluation, planning and proper design of municipal services and facilities necessary to accommodate the present or anticipated needs of a proposed development. All escrow funds must be paid by the date of hearing and as provided herein.

7. Development applications involving residential and nonresidential construction will be subject to all escrow determined by adding the residential and nonresidential components shown below:

| <i>Residential Subdivision</i>           | <i>Escrow</i>  |
|--|--|
| 0-8 Units or Lots                        | <del>\$2000.00</del> <u>\$1,500.00</u>               |
| 9 or more Units or Lots,<br>0-8 fee plus | <del>\$200.00</del> <u>100.00</u> per Unit<br>or Lot |
| Minor Site Plan                          | <del>\$1600</del> <u>750.00</u>                      |

Additions are indicated by underline; and, deletions by ~~strikeout~~.

|   |                                      |
|---|--------------------------------------|
| Major Site Plan   | <del>\$60000</del> <u>\$5,000.00</u> |
| Bulk Variance/Use   | \$ 750.00                            |
| Variance/Conditional Use, flat fee, to encompass all such variances requested |                                      |

*Commercial Development*

NOTE: Use the greater of the escrow amounts determined by calculating both floor area and parking space amounts from the tables below. Select only one escrow amount, that being the higher of the two tables.

| <i>Based on Gross Floor Area</i> | <i>Escrow</i>                          |
|----------------------------------|--|
| 0–1,000 S.F., GFA                | <del>\$900.00</del> <u>\$—75.00</u>    |
| 1,001–10,000 S.F., GFA           | <del>\$1800.00</del> <u>1,500.00</u>   |
| 10,000–50,000 S.F., GFA          | <del>\$6000.00</del> <u>4,000.00</u>   |
| 50,001–100,000 S.F., GFA         | <del>\$8000.00</del> <u>7,000.00</u>   |
| 100,000 + S.F., GFA              | <del>\$10,000.00</del> <u>9,000.00</u> |
| <i>Based on Parking Spaces</i>   | <i>Escrow</i>                          |
| 0–5 spaces                       | <del>\$900.00</del> <u>\$—750.00</u>   |
| 6–25 spaces                      | <del>\$5000.00</del> <u>4,000.00</u>   |
| 26–100 spaces                    | 10,000.00                              |
| 101–500 spaces                   | 15,000.00                              |
| 501 + spaces                     | 20,000.00                              |

**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.