

**BOROUGH OF BEACH HAVEN  
COUNTY OF OCEAN**

**ORDINANCE #2017-19C**

**AN ORDINANCE AMENDING Chapter 212-7(B)1, “Non-conforming lots, uses and structures,” of the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey, to correct conflicting information in the code.**

**WHEREAS**, it is the intent of the governing body to correct inaccurate information in the code.

**NOW THEREFORE, THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN AS FOLLOWS:**

**SECTION I**

Section 204-24(A)(1)(a) shall be amended as follows (underscores represent additions; ~~strikethroughs~~ represent deletions):

Nonconforming lots of record.

- (1) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this chapter, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots of the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. ~~Variance of area, width and yard requirements shall be obtained only through action of the Board of Adjustment.~~

**SECTION II**

**Repealer.** All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

**SECTION III**

**Severability.** If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

**SECTION IV**

**Effective Date.** This Ordinance shall take effect upon publication thereof after final passage according to law.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on June 12, 2017 at 7 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on July 10, 2017 at 7:00 p.m. at the Beach Haven Municipal Building, 420 Pelham Avenue, Beach Haven, New Jersey 08008.

Sherry Mason, RMC, Municipal Clerk

**CERTIFICATION**

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted on first reading by the Municipal Council of the Borough of Beach Haven at a public meeting held on the 12<sup>th</sup> day of June, 2017 a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 12<sup>th</sup> day of June, 2017.

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Sherry Mason, RMC, Municipal Clerk

***First Reading:***            ***June 12, 2017***  
***Publication:***            ***June 22, 2017***  
***Adoption:***                ***July 10, 2017***  
***Final Publication:***      ***July 20, 2017***  
***Effective:***                 ***August 9, 2017***