

**ORDINANCE 2023-36**

**AN ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF SEASIDE HEIGHTS, SO AS TO AMEND CHAPTER 146, ENTITLED "PARKING"**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 146 entitled "Parking," so as to amend § 146-19 entitled "Times of operation; deposits required for legal parking periods" in its entirety so that it shall read as follows:

- A. Twenty-four hour metered parking. For all designated metered parking zones in the Borough, including streets, street ends, and in municipally-owned and metered lots (with the exception of the municipal lot located at Webster Avenue and Bay Boulevard, for which no fee is charged), metered parking shall be in effect 24 hours a day, seven days a week at the rate of \$3 per hour from April 1 to October 31, which may be purchased from parking kiosks installed in all metered parking areas.
- B. From time to time, the Borough Council may, via resolution, establish temporary charges for parking in certain metered areas. Any such resolution shall be published in the official newspaper of the Borough of Seaside Heights no less than one week prior to effectuation of such temporary parking charges.
- C. The owner or operator of any retail establishment may submit a written request to the Borough Administrator of the Borough of Seaside Heights asking that certain parking space(s) on a street or streets near that business be designated as nonexclusive short-term parking spaces (15-minute parking). If the Borough Administrator approves this request, the requesting business owner or operator shall, to cover the loss of revenue from designating the space as short-term, pay a non-prorated fee of \$500 per annum per parking space prior to designation of the short-term spaces. If said request is denied by the Borough Administrator, the requesting party may appeal the denial, in writing, to the governing body. If the governing body reverses the decision of the Borough

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Administrator, the above-referenced \$500 shall be paid and the space be designated as short-term.

**SECTION 2.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 146 entitled "Parking," so as to delete § 146-20 entitled "Deposit required; fees for municipally owned unmetered parking lots" in its entirety.

**SECTION 3.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 146 entitled "Parking," so as to amend § 146-20.1 entitled "Annual parking permits; leased meters" so as to amend Subsection A in its entirety so that it shall read as follows:

- A. Annual parking permits. The owner or operator of a vehicle may obtain an annual parking permit for the current calendar year from the Borough Clerk's office during normal business hours. The parking permit shall be for use on a single vehicle and shall be properly adhered to the vehicle on the driver's side rear bumper of said vehicle. The parking permit shall allow the owner or operator of said vehicle displaying a valid parking permit to park at any metered spot within the Borough of Seaside Heights, except for the Municipal Parking Lot located at Grant Avenue between Ocean Terrace and the Boulevard, Ocean Terrace, and the street ends adjacent to the Boardwalk, at which a coin deposit shall be required. The fee for said annual parking permit shall be \$250 if purchased in November, December and January; and \$300 if purchased during the months of February through October.

**SECTION 4.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 146 entitled "Parking," so as to amend § 146-27 entitled "Violations and penalties" in its entirety so that it shall read as follows:

Any person who shall violate any of the provisions of this article, and any person aiding, abetting or assisting in said violation, shall, upon conviction thereof before the Judge of the Municipal Court of this municipality, be fined \$55, together with costs of court, and, in default thereof, shall undergo imprisonment in the county jail for a period not to exceed 10 days.

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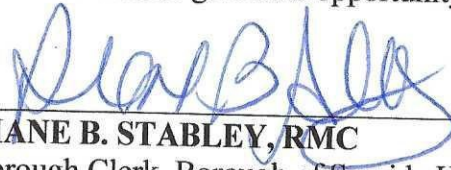
**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the **21<sup>st</sup> day of November, 2023**, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the **20<sup>th</sup> day of December, 2023**, at 5:00 p.m., at the Council Chambers in the Borough Hall Complex located at 116 Sherman Avenue (aka 901 Boulevard) in Seaside Heights, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



**DIANE B. STABLEY, RMC**  
Borough Clerk, Borough of Seaside Heights

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