

**ORDINANCE NO. 2023-2**

**AN ORDINANCE OF THE TOWNSHIP OF  
BARNEGAT, COUNTY OF OCEAN AND STATE OF  
NEW JERSEY AMENDING CHAPTER 66 ENTITLED  
“STREETS AND SIDEWALKS” AND SECTION 45  
THEREOF ENTITLED “REQUIREMENTS TO  
INSTALL SIDEWALKS AND CURBING FOR ALL  
NEW RESIDENTIAL CONSTRUCTION**

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 66 of the Township Code entitled “Streets and Sidewalks” and Section 45 thereof entitled “Requirements to Install Sidewalks and Curbing for all New Residential Construction” is hereby amended and shall read as follows:

**SECTION 1.**

**§66-45. Requirement to install sidewalks and curbing for all new residential construction.**

- A. Unchanged.
- B. Unchanged.
- C. Unchanged.
  - (1) Unchanged.
  - (2) Unchanged.
    - (a) Unchanged.
    - (b) Unchanged.
    - (c) Unchanged.
- D. Unchanged.
  - (1) Unchanged.
- E. Barnegat Township Pedestrian Safety Fund.

DASTI & ASSOCATES  
ATTORNEYS AT LAW

310 Lacey Road  
P.O. Box 779  
Forked River, NJ 08731

- (1) In the event that the Township Engineer and Township Construction Official recommend that a payment to the Pedestrian Safety Fund can be made by the property owner in lieu of installing the sidewalks and/or curbing, said funds shall be deposited by the property owner in accordance with the provisions set forth in Chapter 55-119.1 and shall be deposited into said Fund and be left.
- (2) Unchanged.
- (3) Unchanged.
- (4) Unchanged.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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 Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on **the 1<sup>st</sup> day of January, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **7<sup>th</sup> day of February, 2023, at 10:00AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, 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.

DASTI & ASSOCATES  
ATTORNEYS AT LAW

310 Lacey Road  
P.O. Box 779  
Forked River, NJ 08731

---

Donna M. Manno, RMC  
Municipal Clerk

**CERTIFICATION**

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance namely **Ordinance 2023-2** “Amending Chapter 66 Entitled “Streets and Sidewalks” and Section 45 thereof Entitled “Requirements to install sidewalks and curbing for all New Residential Construction was introduced and passed at a meeting of the Township Committee on the **1<sup>st</sup> day of January, 2023** and finally adopted after Public Hearing at a meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the **7<sup>th</sup> day of February, 2023 at 10:00AM.**

\_\_\_\_\_  
Donna M. Manno, RMC  
Municipal Clerk

DASTI & ASSOCATES

ATTORNEYS AT LAW

310 Lacey Road  
P.O. Box 779  
Forked River, NJ 08731