

ORDINANCE #2024-19C

AN ORDINANCE AMENDING Chapter 212, "Zoning," of the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey, 2000,"

Purpose: To clarify regulations regarding the American Flag.

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

SECTION I

Chapter 212-16(C), "Signs in the BD and MC Districts," shall be amended as indicated (underscores represent additions; ~~strikethroughs~~ represent deletions):

(4) Any business wishing to display decorative or advertising flags on or over the public right-of-way or on private property must mount the flags from the building so that, when hanging in their lowest position, there is a clear, unobstructed space of not less than seven feet between the sidewalk and the lowest portion of the flag. There shall be no limitation as to the number of American flags which any business may wish to display, provided that they are ~~displayed in accordance with this section so as~~ do not to interfere with pedestrian movement or traffic. Feather type flags shall not be permitted.

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.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

If any word, phrase, clause, sections, 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.

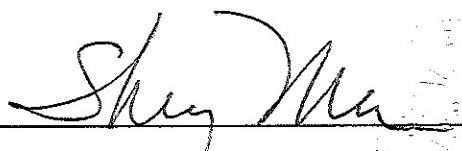
SECTION IV

This Ordinance shall take effect upon publication thereof after final passage according to law. Any permit issued prior to the effective date of this Ordinance shall not be subject to the restriction on pool construction and installation provided by Section I, hereof.

CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 8th day of July 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand an official seal this 8th day of July 2024.


Sherry Mason, RMC, Borough Clerk

Introduction: June 10, 2024
First Publication: June 20, 2024
Adoption: July 8, 2024
Second Publication: July 18, 2024
Effective Date: July 28, 2024