

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 522-2023

AN ORDINANCE AMENDING CHAPTER 158 OF THE CODE OF THE CITY OF CAPE MAY CONCERNING BEACH TAGS

WHEREAS, Section 158 of the City of Cape May Municipal Code provides for various types of Beach Tags which may be purchased by any entity or person in the City of Cape May; and

WHEREAS, the City currently offers daily, three-day, weekly, seasonal, and commercial tags to the public; and

WHEREAS, to support the increasing costs associated with operating the beaches, specifically lifeguard salaries and capital expenses, a recommendation has been made to increase the rates associated with each beach tag category; and

WHEREAS, after reviewing the impact on revenue, the City Council deems it in the City's best interests to increase the rates for each category of Beach Tag.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Cape May in the County of Cape May and State of New Jersey as follows:

SECTION 1. Section 158-3 of the Code of the City of Cape May is hereby amended as follows (~~strickethrough~~ portions indicating deletions and **bold/underlined** portions indicating additions):

§ 158-3 **Beach fees and charges; fee exemptions.**

In order to provide the necessary funds to protect, guard, clean, police, maintain, and otherwise manage the beaches of the City, the following fees shall be charged:

- A. No fees shall be charged or collected from any person under the age of 12 years.
- B. ~~Twenty five~~ **Thirty** dollars per person, per season, for seasonal beach tags purchased between December 1 and ~~March 31~~ **April 30** of the bathing season.
- C. ~~Thirty~~ **Forty** dollars per person, per season, for seasonal beach tags purchased on or after April 1 of the bathing season.
- D. ~~Twenty~~ **Twenty-five** dollars per person, per week, for weekly beach tags, valid from and including Saturday through and including Saturday of the following week, which shall be available during any portion of the bathing season. The last valid date for weekly beach tags shall be imprinted on each weekly beach tag.
- E. ~~Eight~~ **Ten** dollars per person, per day, for daily beach tags, which shall be available during any portion of the bathing season.
- F. ~~Fifteen~~ **Twenty** dollars per person, per any consecutive three-day period, for a three-day beach

tag, which shall be available during any portion of the bathing season.

- G. No fees shall be charged to or collected from persons in active military service in any of the Armed Forces of the United States or to their spouse or dependent children over the age of 12 years old.
- H. No fees shall be charged to or collected from persons who are active members of the New Jersey National Guard who have completed initial active-duty training and to their spouse or dependent children over the age of 12 years old. As used in this subsection, "initial active-duty training" means basic military training, for members of the New Jersey Air National Guard, and basic combat training and advanced individual training, for members of the New Jersey Army National Guard.
- I. No fees shall be charged to those persons who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of a service-incurred injury or disability ("veterans"). In order to obtain a badge with no fee, such veterans shall present to the City documentation, consistent with laws, rules and regulations promulgated by the Adjutant General of the New Jersey Department of Military and Veterans' Affairs, sufficient to establish entitlement to a badge with no fee.
- J. Records and verification. As required by law, the City shall maintain a list of all individuals to whom beach tags are issued pursuant to Subsections H, I, and J above, including the names of all individuals and, as applicable hereunder, their family members who qualify for the beach fee exemption. The City Manager shall also establish procedures for verifying those individuals and, as applicable hereunder, their family members who qualify for the beach fee exemption present appropriate credentials demonstrating active duty or Veterans status.
- K. The rate for commercial beach tags shall be ~~\$100~~ \$125 per season.
- L. In order to defray the City's costs, any beach tag(s) sent by mail order shall be charged ~~\$5~~ \$5.50, in addition to any applicable fee set forth herein. **If any mail order goes beyond the standard postage costs, additional postage fees may be assessed as necessary.** Costs of mail order shall be evaluated on an annual basis consistent with all other fees pursuant to § 158-8E.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective 20 days after final passage and publication, according to law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey

Erin C. Burke, City Clerk

BY: _____
Zachary M. Mullock, Mayor

NOTICE

Ordinance 522-2023 was introduced at a Regular meeting of the City Council of the City of Cape May, held on October 17, 2023 and was further considered for final passage during a Work Session meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on November 8, 2023 at 5:00 P.M. at which time a Public Hearing was held.

Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Yeager	X					
Meier	X					X
McDade	X				X	
Baldwin	X					
Mullock	X					

Introduced: October 17, 2023
1st Publication: October 25, 2023
2nd Reading & Adoption: November 8, 2023
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