

**ORDINANCE 24-05C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" IN CHAPTER 82, WHICH PERTAINS TO FEES, CHAPTER 107, WHICH PERTAINS TO LANDSCAPING AND LANDSCAPERS, AND CHAPTER 205, WHICH PERTAINS TO ZONING**

**STATEMENT OF PURPOSE**

The purpose of the Ordinance is to amend Chapter 82 to add a permit fee, amend Chapters 107 and 205 to add definitions and amend regulations relating to landscaping.

**SECTION I**

§82-10A(3) is added as follows.

- (3) Landscape permit fee: \$50.

**SECTION II**

§107-2 is revised to add the following definition in alphabetical order.

**LANDSCAPING**

The addition of grass, stone, trees, shrubs, plantings, hardscaping, retaining walls, and/or ornamental structures on a parcel of land.

**SECTION III**

§107-3 is repealed and replaced with the following.

- §107-3 Regulations concerning landscaping, landscape gardening, and provision of landscape gardening services.
- A. A zoning permit shall be required prior to the installation of landscaping that exceeds 12 inches in height within any setback yard area or right-of-way adjacent to an improved roadway, private easement roadway, and/or an unimproved roadway at street ends relating to oceanfront properties.
- B. All grass, shrubs, and plantings installed within any setback yard area or right-of-way adjacent to an improved roadway, private easement roadway, and/or an unimproved roadway at street ends relating to oceanfront properties shall be maintained at or below 12 inches in height.
- C. No person or legal entity shall provide services as a landscaper or otherwise engage in landscape gardening without strict compliance with all requirements set forth in this Chapter and the Township Code.
- D. All persons and/or employees of any legal entity who shall be engaged in landscaping shall be supervised by the officers, directors, partners, and/or managing partners of the legal entity. The supervision shall ensure that all such persons and employees comply strictly with the requirements of this Chapter and the Township Code. In the event any person or employee of any legal entity violate the requirements, the person or employee and the officers, directors, partners and/or managing partners shall be personally liable for the violations and penalties.

**SECTION IV**

§107-4M is added as follows.

- M. Chapter 82-10 dealing with permit fees.

**SECTION V**

§205-2 is revised to add the following definition in alphabetical order.

**LANDSCAPING**

The addition of grass, stone, trees, shrubs, plantings, hardscaping, retaining walls, and/or ornamental structures on a parcel of land.

#### **SECTION VI**

§205-7B(2) delete “five feet” and replace with “ten feet”. §205-7B(2)(b) delete “7.5 feet” and “2.5 feet” and replace with “10 feet” and “5 feet” respectively.

#### **SECTION VII**

§205-73D(1) is repealed and replaced with the following.

- (1) A zoning permit is required as a condition precedent to the commencement of a use and/or change of use and all construction, installation, reconstruction, alteration, erection, conversion, or alteration of a structure or building, and landscaping pursuant to Chapter 107. The zoning permit shall confirm that such use, structure, building, and lot area comply with the provisions of this the Township Code and approvals granted by the Land Use Board.

#### **SECTION VII**

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

#### **SECTION VIII**

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 IX**

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

#### **Effective date.**

This ordinance shall take effect after final adoption and publication as required by law.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance 24-05C was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Monday, February 5, 2024, at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Monday, March 4, 2024, at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

---

Danielle La Valle, RMC  
Municipal Clerk

First Reading: February 5, 2024  
Publication: February 9, 2024  
Second Reading: March 4, 2024  
Final Publication: March 8, 2024  
Effective: March 8, 2024

**CERTIFICATION**

**I, DANIELLE LAVALLE, RMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 24-05C was duly adopted by the Board of Commissioners at their meeting held on Monday, March 4, 2024, at 4:00 p.m.

---

Danielle La Valle, RMC  
Municipal Clerk

First Reading: February 5, 2024  
Publication: February 9, 2024  
Second Reading: March 4, 2024  
Final Publication: March 8, 2024  
Effective: March 8, 2024