

**ORDINANCE 24-12C**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)” IN CHAPTER 205, WHICH PERTAINS TO ZONING, AND CHAPTER 51, WHICH PERTAINS TO BEACHES**

**STATEMENT OF PURPOSE**

The purpose of the Ordinance is to amend Chapter 205 to revise the entryway roofs, roof decks, mechanical systems setback, and roof deck structures regulations, and to amend Chapter 51 to clarify and amend the beach regulations relating to vehicles, e-bikes, and bicycles.

**SECTION I**

§205-11D is repealed and designated as “(Reserved)”.

**SECTION II**

§205-11F(2), (3), and (6) are repealed and replaced with the following.

- (2) Construction of landings and stairs providing entry in connection with a house being raised so that the first-floor level is above base flood elevation (BFE) level may have 70 square feet projecting no more than eight feet from the face of the building for reconfigured entries, of which there can be no more than two. Each of the two allowable entries may have an additional 70 square feet, and these entries which do not exceed 70 square feet shall not be considered lot coverage. Regardless of the number or size of entries, a maximum of 32 square feet of entryway may be roofed over. A handicap chair lift constructed onto existing houses or a house being raised shall encroach within the front, rear, and side yard setbacks and not less than the minimum required setback for the zoning district where the chair lift is located.
- (3) Roof overhangs and window units.
  - (a) No roof shall project more than 24 inches beyond the exterior walls of the living space of the building. The permitted 24 inches of roof projection shall not be considered lot coverage and may encroach into the front, rear, and side yard setbacks of the lot upon which the building is located. No roof deck shall project beyond the exterior walls of the living space of the building. The roof and soffit may extend the aforesaid 24 inches, but no portion of any roof deck shall extend into any portion of the 24 permitted inches of roof projection.
  - (b) Window units projecting not more than 24 inches from the face of a building which are no more than eight feet along the vertical face of the building wall shall not be considered lot coverage and may encroach into the front and rear yard setbacks of the lot on which the building is located. Such window units encroaching into the rear yard shall be no closer than 15 feet to any residentially or commercially occupied building on the contiguous lot to the rear.
- (6) Air conditioner compressor platforms not to exceed in total 32 square feet, pool equipment platforms not to exceed in total 32 square feet, and emergency generator platforms not to exceed in total 32 square feet may be located within the principal side yard setback from the street extending not more than 4 feet into the required setback from the property line and shall be a minimum of 2 feet from the property line. Ductless air conditioner units may encroach into the side and rear yard setbacks a maximum of 18 inches.
  - (a) Emergency generators shall not be located less than 18 inches from any principal or accessory building.

**SECTION III**

§205-2 is revised repeal and replace the definition of roof deck structure as follows.

## **ROOF DECK STRUCTURE**

A deck that is constructed on top of a roof or constitutes the roof of a building, limited to the area above the living space up to the edge of the exterior wall, and not constructed above the 24 inches that extend past the exterior wall.

### **SECTION IV**

§205-22B is repealed and replaced as follows.

- B. Permitted permanent and built-in structures, pools, hot tubs, outdoor kitchens, any type of fire device, awnings, pergolas, flags, decorations, landscaping, real or fake plants, or similar property, accessories, and fixtures are permitted on roof and roof deck structures, provided no portion of the foregoing exceeds the maximum permitted building height of the applicable zone.
  - (1) No structures set forth above or any awnings, pergolas, gazebos, covering, or any other structure with a roof or roof-type structure shall be permitted on a roof or roof deck structure.

### **SECTION V**

§51-18Y is added as follows.

- Y. Except as authorized by Article III of this Chapter, no vehicles or bicycles of any kind shall be permitted on the beach, including, but not limited to, motor vehicles, motorcycles, bicycles, electric and/or e-bikes, and scooters. The riding of bicycles, electric, and/or e-bikes on the beach shall be permitted between and including October 1st and May 14th.

### **SECTION VI**

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

### **SECTION VII**

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 VIII**

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 24-12C 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, April 1, 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, May 6, 2024, at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

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Danielle La Valle, RMC  
Municipal Clerk

First Reading: April 1, 2024  
Publication: April 5, 2024  
Second Reading: May 6, 2024  
Final Publication: May 10, 2024  
Effective: May 10, 2024

**CERTIFICATION**

I, **DANIELLE LAVALLE, RMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 24-12C was duly adopted by the Board of Commissioners at their meeting held on Monday, May 6, 2024, at 4:00 p.m.

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Danielle La Valle, RMC  
Municipal Clerk

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