

**Ordinance Introduced in First Reading August 13;
Public Hearing Tuesday, September 10, 2024 at 7:30 p.m.**

24-008 G

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY
AMENDING CHAPTER III POLICE REGULATIONS, CHAPTER IV GENERAL
LICENSING, CHAPTER V ANIMALS, CHAPTER VII TRAFFIC, CHAPTER VIIA TRAFFIC
SCHEDULES, CHAPTER VIII BUILDING AND HOUSING, CHAPTER IX SEWER AND
WATER, CHAPTER XIII STREET AND SANITATION, CHAPTER XVI
ENVIRONMENTAL PROTECTION

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter III (Police Regulations), Chapter IV (General Licensing), Chapter V (Animals), Chapter VII (Traffic), Chapter VII A (Traffic Schedules), Chapter VIII (Building and Housing), Chapter IX (Sewer and Water), Chapter XIII (Streets and Sanitation) and Chapter XVI (Environmental Protection) of the General Ordinances of the Borough of Rumson is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend Chapter III (Police Regulations), Chapter IV (General Licensing), Chapter V (Animals), Chapter VII (Traffic), and Chapter VII A (Traffic Schedules), Chapter VIII (Building and Housing) by removing section 3-3 *Minimum Clear Sight Required at Street* in its entirety, adding section 4-10 *Filming*, adding section 5-12 *Prohibited Non-Domestic Animals and Farm Animals*, amending 7-3.10 and adding 7-3.11, editing details in charts 7A-1 *Schedule I: No Parking*, 7A-4 *Schedule IV: Parking Time Limited*, and 7A-8 *Schedule VIII: Stop Intersections*, adding 7A-4B *Schedule IVB: Parking Limited To Permit Holders Only On School Days*, amending 8-1 *State Uniform Construction Code* and adding 8-8 *Lead-Based Paint Inspections*, amending 9-1 *Sewer Connections* and 9-2 *Sewer Service Charges*, amending 13-2 *Street Excavation and Occupancy*, and adding 16-12 *Privately-Owned Salt Storage*.

Chapter III (Police Regulations), Chapter IV (General Licensing), Chapter V (Animals), Chapter VII (Traffic), Chapter VII A (Traffic Schedules), Chapter VIII (Building and Housing), Chapter IX (Sewer and Water), Chapter XIII (Streets and Sanitation), and Chapter XVI (Environmental Protection) of the General Ordinances of the Borough of Rumson is hereby amended or supplemented as follows (new text is double underlined, text to be deleted is struck through and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1.

That Chapter III, Police Regulations, shall be amended as follows:

§ 3-1. PENALTY through § 3-2. DISORDERLY PERSONS.

No Changes.

§ 3-3. MINIMUM CLEAR SIGHT REQUIRED AT STREET INTERSECTIONS.

~~No fence, hedge, ornamental bush, growing crops or shrubbery shall be permitted at a height in excess of three feet above the center of the adjacent roadway on any land within a radius of 25 feet from the corners formed by the intersections of the sides or lines of any streets, in the Borough; nor shall limbs or foliage on any tree be permitted to grow nearer the ground than 10 feet where such limbs or foliage overhang or are upon or over land within such radius. The purpose of this section is to provide a clear view so that the driver of a vehicle passing along one street may observe another vehicle approaching on an intersecting street~~ RESERVED.

§ 3-3.1. MINIMUM CLEAR SIGHT AT INTERSECTIONS.

No Changes.

§ 3-4. OBNOXIOUS GROWTHS, TRASH AND DEBRIS through § 3-16. CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITY—HOURS OF OPERATION.

No Changes.

SECTION 2.

That Chapter IV, General Licensing, shall be amended as follows:

§ 4-1. DEFINITIONS through § 4-9. REGISTRATION OF LANDSCAPERS AND TREE REMOVAL COMPANIES.

No Changes.

§ 4.10 FILMING.

§ 4.10.1. DEFINITIONS.

As used in this section, these terms shall have the following meanings:

FAMILY VIDEOS AND PHOTOGRAPHY

The filming or videotaping of motion pictures, or still photography, intended solely for private use.

FILMING

The taking of still or motion pictures either on film, videotape, or similar recording medium, for any purpose intended for viewing on television, in theaters or for institutional uses. This term shall not include family videos and photography and news media, as defined herein, or as otherwise provided herein.

MAJOR MOTION PICTURE

Any film which is financed and/or distributed by a major motion picture studio or corporation for presentation in movie theaters, including any filming activity connected with any part of such a production; provided that the production has an overall budget of \$2,000,000 or more.

MOTION PICTURE, TELEVISION PICTURES, STILL PHOTOGRAPHY

All activities attendant to the staging and/or shooting of commercial motion pictures, television series, television movies, commercials and to the taking of single or multiple photographs for sale or commercial use where the photographer sets up stationary equipment in any one location for longer than five consecutive minutes.

NEWS MEDIA

Photographic, filming, and/or videotaping for the purpose of a television news broadcast or reporting for print media by reporters, photographers or cameramen.

PUBLIC LANDS

The areas including but not limited to any public building, street, sidewalk, square, park, playground, beachfront, marina, and other public places, which is within the jurisdiction and control of the Borough of Rumson.

STUDENT FILMS

Motion picture, television or still photography produced to satisfy a course or curriculum requirement at an accredited educational institution. The student filmmaker must supply proof that they are currently enrolled in any such educational institution.

§ 4.10.2. PERMIT REQUIRED.

- a. No person shall use any public lands or private property, public right-of-way, facility, and/or residence for the purpose of taking motion pictures, television pictures or still photography without first applying for and receiving a permit from the Municipal Clerk and/or the Administrator of the Borough of Rumson, as applicable.
- b. The permit shall set forth the approved location of such filming and also the approved duration of such filming by specific reference to day or dates. No permit shall authorize filming for more than three consecutive days in any one location, and in no event shall

filming at one location within the Borough exceed a total of six days in any one calendar year, regardless of the number of permits utilized in reaching this six-day maximum. Either or both of the three-consecutive-day and the six-day limitations may be extended only if the filming requested satisfies the major motion picture exception defined herein. Said permit must be readily available for inspection by Borough officials at all times at the site of the filming.

- c. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough Administrator and be accompanied by permit fees as required herein.
- d. If a permit is issued and filming does not in fact take place on the dates specified due to good cause, including but not limited to reasons of inclement weather, the Borough Administrator may issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this new permit.
- e. The provisions of this section shall not apply to news media, family videos and/or student films.
- f. The provisions of this section shall not apply to all activities attendant to the staging and/or shooting of a segment of a television series where all such activities occur on private property and within a commercial building or other structure which is not in a residential area and is not visible outside of such building or structure, provided that the filming activities do not exceed three days.

§ 4.10.3. REVIEW AND ISSUANCE OF PERMITS.

- a. Permits shall be issued by the Borough Clerk after approval by the Administrator and upon payment of the requisite fees and escrows. Any such review shall determine whether any additional municipal services may be reasonably required depending upon the nature of the activities proposed. A basic film permit shall be issued by the close of the 10th business day after submission of a complete permit application, which includes any necessary permits from Fire Prevention.
- b. Expedited permits may be issued by the Borough Clerk after approval by the Administrator and upon payment of the requisite fee. The Borough Clerk or Administrator, after consultation with involved borough departments, may issue the permit, so long as the application complies with all other requirements of this chapter. The Borough Clerk, Communications Director or Borough Administrator may determine whether any additional municipal services may be reasonably required depending upon the nature of the activities proposed. Expedited permits shall be issued by the close of the fourth business day after submission of a complete permit application, which includes any necessary permits from Fire Prevention.
- c. No permits shall be issued unless all fees and reasonably necessary reimbursable expenses are paid to the Borough. An escrow in the amount of \$5,000 shall be posted with the Borough to cover any professional expenses or fees required to be paid for the services of Borough professionals who are not employees of the Borough, such as the Borough Attorney or consulting engineers. Any unused balance of such escrow account shall be returned within 30 days of the conclusion of filming.
- d. No permit shall be issued for filming upon private property unless proof of consent has been provided to the Borough.
- e. No permit shall be issued for filming upon public property unless the applicant shall provide the Borough with satisfactory proof of the following:
 - 1. Proof of insurance coverage, including but not limited to for bodily injury to any one person in the amount of \$2,000,000 and any occurrence in the aggregate amount of \$3,000,000.
 - 2. For property damage for each occurrence in the aggregate amount of \$2,000,000.
 - 3. A written hold harmless and indemnification agreement acceptable to the Borough Attorney.
 - 4. The posting of cash or maintenance bond for the value of \$2,500 protecting and insuring that the location utilized for the filming will be left, in a satisfactory condition, free of

debris, rubbish, and equipment, and that due observance of all Borough ordinances, laws, and regulations will be followed. Within 20 days of the completion of filming, the Borough will return the bond if there has been no damage to the public property or public expense caused by the filming.

5. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public property and shall comply with all lawful directives issued by the Borough Police Department, the Fire Chief and the Borough Administrator with respect thereto.
6. The applicant shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners as a result of such filming and shall, to the extent practicable, abate noise and park vehicles off the public streets. All vehicles parked on public streets and rights-of-way shall be done so in accordance with all applicable state and local regulations.
7. The holder shall not interfere with previously scheduled activities upon public property and limit, to the extent possible, any interference with normal public activity on such public property.
8. The applicant shall give written notice of the filming to all businesses and residents directly adjoining the filming location, including the location of all ancillary activities associated with the filming, such as the location of equipment, parking, prep areas, etc., and further provide written proof of such notice at least three business days prior to the submission of a completed permit application. Such written notice shall be in a form acceptable to the Borough Administrator and shall inform such businesses and residents that objections may be filed with the Borough Clerk within the next three business days, said objections will form a part of applicant's application and be considered in the review of the same. However, an applicant may request a waiver of the notice requirement, or if the Administrator finds that by not giving notice there would be less of a potential for disruption, if the permit is granted, then a waiver may be granted by the Borough Administrator, as applicable.

§ 4.10.4. FILMING IN RESIDENTIAL AREAS.

Filming in residential areas shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m. Nighttime filming, after 9:00 p.m., can be considered on a case-by-case basis by the Borough Administrator, who can establish specific limitations and locations. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

§ 4.10.5. REFUSAL TO ISSUE PERMIT; EMPLOYMENT OF PATROLMEN AND ELECTRICIAN.

- a. The Borough may refuse to issue a permit whenever it determines, on the basis of objective facts and after a review of the application by the Police Department and by other Borough agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.
- b. The Borough reserves the right to require one or more Borough police officer(s), Fire Department personnel or any such other specialized Borough officials to remain on-site during the times indicated on the permit, in situations where the production may impede the proper flow of traffic, or otherwise impact upon public safety. The cost of all such personnel shall be borne by the applicant as cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

§ 4.10.6. WAIVER OF REQUIREMENTS BY BOROUGH.

The Borough may authorize filming other than during the hours herein described. In determining whether to allow an extension of hours under this section, the Borough shall consider factors, including but not limited to the following:

- a. Traffic congestion at the location;
- b. The applicant's ability to remove film-related vehicles off the public streets;
- c. Whether the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming;
- d. Nature of the film shoot itself; e.g., indoor or outdoor; day or night; on public lands or private lands; proximity to residential neighborhoods; potential for disruption of normal residential or business activities; and
- e. Prior experience of the film company/applicant with the Borough, if any.

§ 4.10.7. COPIES OF PERMIT; INSPECTIONS.

Copies of the approved permit shall be sent to the Police and Fire Official, Fire Prevention Officer, and Borough Administration before filming takes place. The applicant shall permit the Police Department, the Fire Chief or other Borough inspectors to inspect the site and equipment to be used. The applicant shall comply with all safety instructions issued by the Police Department, the Fire Chief, or other Borough inspections.

§ 4.10.8. REIMBURSEMENTS OF CERTAIN COSTS.

In addition to any and all other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, including but not limited to repairs required to public property, and any revenues that the Borough was prevented from earning because of the filming.

§ 4.10.9. SPECIAL REGULATIONS FOR MAJOR MOTION PICTURES.

- a. With regards to filming being done on a major motion picture, and upon a favorable review of the factors set forth herein, the Borough may grant an exemption of the three consecutive filming day limit and/or the six total filming days within a calendar year limit.
- b. Any days that are necessary for setup and preparation of a major motion picture filming may, at the discretion of the Borough, be counted as a filming day where such setup is anticipated to involve one or more of the factors set forth in this chapter.

§ 4.10.10. FEES.

Pursuant to Chapter IV, Section 10, Filming, of the Code of the Borough of Rumson, the following fees are hereby established:

- a. Basic filming permit: \$250.
- b. Expedited permit (permit needed within seven business days of filming date): \$500.
- c. In addition to the basic or expedited film permit, the daily filming fee on public property for any day on location within the Borough, including prep and wrap days: \$500 per day.
- d. In addition to the basic or expedited film permit, the daily filming fee for a major motion picture on public property for any day on location within the Borough, including prep and wrap days: \$1,500 per day.
- e. In addition to the basic or expedited film permit, the daily filming fee on private property for any day on location within the Borough, including prep and wrap days: \$150 per day.
- f. Daily filming fee for filming a major motion picture for filming on private property for any day on location within the Borough, including prep and wrap days: \$500 per day.
- g. Filming permit for nonprofit applicants filming for educational purposes: no fee.
- h. Overnight parking/use of Borough lot: at actual cost determined by Borough.
- i. Police/fire protection: at actual cost determined by Borough.
- j. Use of Borough buildings: \$2,500 per day.

- k. Use of municipal street or right-of-way: \$500 per day per street or right-of-way.

§ 4.10.11. VIOLATIONS AND PENALTIES.

Where the owner of the premises is not the applicant for a permit required by this section, both the owner and the applicant shall each be liable for violations hereof. Any person violating this section or these rules and regulations, upon conviction thereof, shall be subject to the penalties of no more than \$1,000 per day or by imprisonment in the County jail for a term not exceeding 90 days, or both. A Separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 3.

That Chapter V, Animals, shall be amended as follows:

§ 5-1. DOGS through § 5-11. CATS.

No Changes.

§ 5-12. PROHIBITED NON-DOMESTIC ANIMALS AND FARM ANIMALS.

§ 5-12.1. Definitions.

As used in this section, the following terms shall have the meanings indicated:

ANIMAL

Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

a. **DOMESTIC ANIMALS**

Those animals commonly accepted as domesticated household pets. Unless otherwise defined, such animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, nonpoisonous, non-venomous, and non-constricting reptiles or amphibians, and other similar animals.

b. **NON-DOMESTIC ANIMALS**

Those animals commonly considered to be naturally wild or exotic and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, such animals shall include:

1. Any member of a large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards, and jaguars, but excluding commonly accepted domesticated house cats.
2. Any natural wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
3. Any crossbreeds such as a crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a crossbred domesticated animal.
4. Any member or relative of a rodent family including skunk (whether or not de-scented), raccoon, fox, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.
5. Any poisonous, venomous, constricting, or inherently dangerous member the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
6. Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this subsection, including, but not limited to bears, deer, monkeys, and game fish.

c. **FARM ANIMALS**

Those animals commonly associated with a farm or performing work in an agricultural setting, including members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese potbellied pigs), goats, and other animals associated with a farm, ranch, or stable. Farm animals shall not include honey bees or any other apiary activities regulated by State law.

OWNER

Any person or persons, firm, association or corporation owning, keeping, harboring or possessing an animal.

§ 5-12.2. Prohibited Animals.

It shall be unlawful for any person to keep, maintain, have in his or her possession or under his or her control or to permit another to keep, maintain or have under his or her control within the Borough limits of the Borough of Rumson, unless on a recognized and approved farm in the Borough, any non-domestic animal or farm animal as defined in this section. The foregoing enumeration is not intended to be all-inclusive. The determination of whether or not an animal is deemed to be a non-domestic animal, a farm animal, or otherwise presents a risk to the health, safety, and/ or welfare of persons or property shall be made by either the Borough's Animal Control Officer or a Police Officer of the Rumson Police Department.

§ 5-12.2. Violations and Penalties.

Any person(s), firm(s) or corporation(s) who violates or neglects to comply with any provisions of this section or any rule or regulation promulgated pursuant thereto, shall be subject to the penalty as stated in Chapter 3, § 3-1.

SECTION 4.

That Chapter VII, Traffic, shall be amended as follows:

§ 7-1. WORDS AND PHRASES through § 7-2. OFFICIAL TIME STANDARD.

No Changes.

§ 7-3. PARKING.

§ 7-3.1. REGULATIONS NOT EXCLUSIVE through § 7-3.9. REGULATIONS OF HANDICAPPED PARKING SPACES ON THE STREET AND IN MUNICIPAL PARKING LOTS.

No Changes.

§ 7-3.10. PARKING VIOLATIONS AND PENALTIES PARKING LIMITED TO PERMIT HOLDERS ONLY ON SCHOOL DAYS.

No person shall park on the street in an area noted in schedule 7A-4B on school days during school hours without a school issues permit.

§ 7-3.11. PARKING VIOLATIONS AND PENALTIES.

§ 7-4. LIMITING THE USE OF STREETS TO CERTAIN CLASS OF VEHICLES through § 7-12. VIOLATIONS AND PENALTIES.

No Changes.

SECTION 5.

That Chapter VII A, Traffic Schedules, shall be amended as follows:

§ 7A-1. SCHEDULE I: NO PARKING.

In accordance with the provisions of Subsection 7-3.3, no person shall park a vehicle at any time upon any of the following described streets or parts of streets.

Street	Side	Location
Allen Street	West	Between West River Road and Church Street.
Allen Street [Ord. No. 16-006G § 5]	East	Between West River Road and 125 feet south thereof.
Avenue of Two Rivers	a. East	From the south curblineline of Ridge Road 200 feet southerly thereof.
	b. West	From Bay Street to Ridge Road.
	<u>c. West</u>	<u>North terminus South 110 feet.</u>
Avenue of Two Rivers South	Both	Between its southerly terminus and a point 450 feet northerly therefrom.
Bay Street	South	Entire length.
Bellevue Avenue	West	Between Rumson Road and 600 feet south of Ridge Road.
Bingham Avenue	West	Between Ridge Road and South Cherry Lane.
Blackpoint Road	a. North	For a distance of 60 feet in an easterly direction from East River Road.
	b. South	From East River Road to Center Street.
Blossom Road	West	Between Ridge Road and Robin Road.
Bruce Place	South	Entire length.
Carton Street [Added 8-8-2023 by Ord. No. 23-002G]	North	From Forrest Avenue to a distance 247 feet to the east.
Cedar Avenue	East	Entire length.
Church Street	North	Between Lafayette Street and Bingham Avenue.
Crabapple Lane [Ord. No. 18-015G § 2]	East	Between North Cherry Lane and South Cherry Lane.
Dogwood Lane [Ord. No. 18-015G § 2]	East	Between North Cherry Lane and South Cherry Lane.
East River Road	East	From Wilson Circle to Meadowbrook Avenue.
East River Road [Ord. No. 18-015G § 2]	East	From Blackpoint Road to Ridge Road.
East River Road [Amended 8-11-2020 by Ord. No. 20-004G]	North	From the northeast corner of North Park Avenue to Wilson Circle.
East River Road	West	Between Bingham Avenue and Ridge Road.
First Street	East	From the Navesink River to a distance 290 feet south thereof.
First Street	East	No parking/loading zone here to corner 77 feet north of West River Road.
First Street [Amended 8-11-2020 by Ord. No. 20-004G]	West	Entire length.
Forrest Avenue	West	From Ridge Road to Narumson Street.
Grant Avenue [Added 5-14-2019 by Ord. No. 19-002G]	South	Entire length.

Hance Road	East	For a distance of 1,875 feet in a northerly direction from Rumson Road.
Holly Street	South	Entire length.
Hunt Street	South	Entire length.
Lafayette Street [Amended 12-17-2019 by Ord. No. 19-007G]	a. East	From West River Road to Hunt Street.
	b. West	From West River Road to Narumsunk Street.
Lincoln Avenue [Added 5-14-2019 by Ord. No. 19-002G]	North	From the Shrewsbury River to Packer Avenue.
Lincoln Avenue [Added 5-14-2019 by Ord. No. 19-002G; amended 12-17-2019 by Ord. No. 19-007G]	South	From the Shrewsbury River to Packer Avenue; from Waterman Avenue to South Ward Avenue.
Maple Avenue	East	Entire length.
Maplewood Avenue	North	Entire length.
Meadowbrook Avenue	North	Entire length.
Navesink Avenue	Both	From the northerly portion of Blackpoint Horseshoe to the Navesink River.
North Cherry Lane [Ord. No. 18-015G § 2; amended 5-14-2019 by Ord. No. 19-002G]	South	Entire length.
North Park Avenue	East	Between East River Road and Oak Tree Lane.
Oak Lane	East	Entire length.
Oakwood Lane	South	Entire length.
Packer Avenue	Both	Entire length.
Ridge Road	North	Between Forrest Avenue and Bingham Avenue.
Ridge Road	Both	From the east curb of Bellevue Avenue in an easterly direction for a distance of 310 feet.
Ridge Road	Both	From the west curb of Bellevue Avenue in a westerly direction for a distance at 100 feet.
Ridge Road	South	For a distance of 95 feet in an easterly direction with its intersection with the easterly line of Bellevue Avenue.
Ridge Road	South	Between Bingham Avenue and Blossom Road.
Rumson Road	North	Entire length.
Rumson Road	South	Entire length.
Second Street	West	Entire length.
Shrewsbury Drive [Added 5-14-2019 by Ord. No. 19-002G; amended 8-11-2020 by Ord. No. 20-004G]	North	From a distance 500 feet in a westerly direction from the intersection of South Ward Avenue.

Shrewsbury Drive	South	Between Navesink Avenue and Ward Avenue.
South Cherry Lane [Ord. No. 18-015G § 2]	South	Between Dogwood Lane and Bingham Avenue.
South Ward Avenue [Amended 5-14-2019 by Ord. No. 19-002G]	East	From Rumson Road to Grant Avenue.
South Ward Avenue [Amended 5-14-2019 by Ord. No. 19-002G]	West	Entire length.
Third Street	West	Between West River Road and Church Street.
Ward Avenue	East	Entire length.
Ward Lane	South	Entire length.
	West	For a distance of 100 feet in a southerly direction from the curblines of West River Road.
Warren Street [Added 5-14-2019 by Ord. No. 19-002G]	West	Entire length.
Washington Avenue [Added 5-14-2019 by Ord. No. 19-002G; amended 12-17-2019 by Ord. No. 19-007G]	South	From Shrewsbury Avenue to Packer Avenue, to the western terminus.
Washington Street	a. East	Between the Navesink River and Church Street.
	b. West	Between Church Street and Narumsunk Street.
	c. West	For a distance of 95 feet south from West River Road. [Added 8-8-2023 by Ord. No. 23-002G]
Waterman Avenue [Added 5-14-2019 by Ord. No. 19-002G]	East	From Rumson Road to Lincoln Avenue.
Waterman Avenue [Added 5-14-2019 by Ord. No. 19-002G; amended 12-17-2019 by Ord. No. 19-007G]	West	From Rumson Road to Lincoln Avenue; Washington Avenue to the western terminus.
West Cherry Lane [Ord. No. 18-015G § 2]	East	Between North Cherry Lane and South Cherry Lane.
West River Road	South	Between Buena Vista Avenue and Bingham Avenue.
West River Road	North	70 feet east of First Street.
West River Road	North	70 feet west of First Street.
West River Road	North	70 feet east of Lafayette Street.
West Street	North	Entire length.
Wilson Circle [Added 12-14-2021 by Ord. No. 21-012G]	South	For a length of 85 feet starting 230 feet from East River Road to 315 feet from East River Road
Windmill Lane	East	Entire length.

§ 7A-1A. SCHEDULE IA: PARKING RESTRICTED LOT ADJACENT TO FIRE COMPANY through § 7A-3. SCHEDULE III: NO STOPPING OR STANDING.

No Changes.

§ 7A-4. SCHEDULE IV: PARKING TIME LIMITED.

In accordance with the provisions of Subsection 7-3.6, no person shall park a vehicle for longer than the time shown on the following described streets or parts of streets.

Name of Street	Sides	Time Limit	Hours	Location
Blackpoint Road [Ord. No. 15-010G]	North	2 hours	7:00 a.m. to 3:00 p.m. on school days only	From East River Road west for 125 feet.
Blackpoint Road [Ord. No. 16-006G § 5]	North	2 hours	7:00 a.m. to 3:00 p.m. on school days only	150 feet west of Forrest Avenue for 230 feet west
Blackpoint Road	South	2 hours	7:00 a.m. to 3:00 p.m. on school days only	Between East River Road and Forrest Avenue.
Blossom Road	East	2 hours	7:00 a.m. to 3:00 p.m. on school days only	Between Ridge Road and Robin Road.
Carton Street [Amended 8-8-2023 by Ord. No. 23-002G]	North	2 hours	7:00 a.m. to 3:00 p.m. on school days only	From East River Road 300 feet westerly thereof.
East River Road	North	1/2 hour	8:00 a.m. to 6:00 p.m.	From Parmly Street to a point 260 feet northerly thereof.
West River Road	North	1/2 hour	8:00 a.m. to 6:00 p.m.	Between Washington Street and First Street.
<u>Ridge Road</u>	<u>North</u>	<u>2 hours</u>	<u>7:00 a.m. to 3:00 p.m. on school days only</u>	<u>From East River Road to Forrest Avenue</u>
<u>Ridge Road</u>	<u>South</u>	<u>2 hours</u>	<u>7:00 a.m. to 3:00 p.m. on school days only</u>	<u>From Blossom Road to East River Road</u>

§ 7A-4A. SCHEDULE IVA: PARKING TIME LIMITED MUNICIPAL PARKING LOT.

No Changes.

§ 7A-4A. SCHEDULE IVB: PARKING LIMITED TO PERMIT HOLDERS ONLY ON SCHOOL DAYS.

<u>Name of Street</u>	<u>Direction</u>	<u>Time Limit</u>
<u>Blackpoint Road</u>	<u>West Bound</u>	<u>150 feet West of Forrest Avenue to 325 feet West of Forrest Avenue</u>
<u>Narumson Street</u>	<u>East Bound</u>	<u>From 250 feet West of Forrest Avenue thru to Forrest Avenue</u>

§ 7A-5. SCHEDULE V: TRUCKS OVER FOUR TONS through § 7A-7. SCHEDULE VII: THROUGH STREETS.

No Changes.

§ 7A-8. SCHEDULE VIII: STOP INTERSECTIONS.

In accordance with the provisions of Subsection 7-6.2, the following intersections are hereby designated as Stop Intersections.

- a. Allencrest Road and Bellevue Avenue

STOP sign shall be installed on Allencrest Road.

a.1. Avenue of Two Rivers-Oyster Bay Drive and Shrewsbury Drive

STOP signs shall be installed on Avenue of Two Rivers and Oyster Bay Drive.

b. Avenue of Two Rivers South and Shrewsbury Drive

A STOP sign shall be installed on Avenue of Two Rivers South.

c. Bay Street and Cedar Avenue

A STOP sign shall be installed on Bay Street.

d. Blackpoint Road and Forrest Avenue

STOP signs shall be installed on Blackpoint Road.

d.1. Bruce Place and East River Road

STOP sign shall be installed on Bruce Place.

d.2. Bruce Place and Forrest Avenue

STOP sign shall be installed on Bruce Place.

e. Carton Street and Forrest Avenue

A STOP sign shall be installed on Carton Street.

f. Center Street and Parmly Street

STOP signs shall be installed on Center Street.

g. Church Street and Third Street

A STOP sign shall be installed on Church Street.

h. Evergreen Drive and Holly Tree Lane

A STOP sign shall be installed on Evergreen Drive.

i. Highland Avenue and Avenue of Two Rivers

STOP signs shall be installed on Highland Avenue.

j. Holly Street and Cedar Avenue

A STOP sign shall be installed on Holly Street.

k. Island Road and Rosalie Avenue

A STOP sign shall be installed on Island Road.

k.1. Ivins Place and Oakes Road

A STOP sign shall be installed on Ivins Place.

k.2. Ivins Place and Riverside Drive

A STOP sign shall be installed on Ivins Place.

l. Lincoln Avenue-Shrewsbury Drive and Ward Avenue

STOP signs shall be installed on Lincoln Avenue-Shrewsbury Drive.

m. Monmouth Avenue and Shrewsbury Drive

A STOP sign shall be installed on Monmouth Avenue.

n. Narumson Street and Forrest Avenue

A STOP sign shall be installed on Narumson Street.

~~o.~~o.1. Navesink Avenue and Shrewsbury Drive

A STOP sign shall be installed on Navesink Avenue.

o.2. North Rohallion Drive and South Rohallion Drive

STOP sign shall be installed on North Rohallion Drive.

o.3. North Rohallion Drive and Bellevue Avenue

STOP sign shall be installed on North Rohallion Drive.

o.4. North Street and East River Road

STOP sign shall be installed on North Rohallion Drive.

o.5. North Street and Forrest Avenue

STOP sign shall be installed on North Rohallion Drive.

p1. Oak Lane and Somerset Drive

A STOP sign shall be installed on Oak Lane.

p2. Orchard Lane and Buena Vista Avenue

A STOP sign shall be installed on Orchard Lane.

q. Parmly Street and Avenue of Two Rivers

STOP signs shall be installed on Parmly
Street.

r. Pompano Road and Bingham Avenue

A STOP sign shall be installed on Pompano Road.

r.1. Pompano Road and Edward's Point Road

A STOP sign shall be installed on Pompano Road.

s. River's Edge Drive and Buttonwood Lane

A STOP sign shall be installed on River's Edge Drive.

t. Riverview Avenue and Rosalie Avenue

STOP signs shall be installed on Riverview Avenue.

u. Rosalie Avenue and Avenue of Two Rivers

STOP signs shall be installed on Rosalie
Avenue.

u.1. South Rohallion Drive and Bellevue Avenue

STOP sign shall be installed on South
Rohallion.

u.2. South Rohallion Drive and Brairwood Road

STOP sign shall be installed on South

Rohallion.

- v. Shrewsbury Drive and Osprey Lane

A STOP sign shall be installed on Shrewsbury Drive.

v.1. Van Circle and Brairwood Road

STOP sign shall be installed on Van Circle.

- w. Ward Lane and Avenue of Two Rivers

STOP signs shall be installed on Ward Lane.

- x. Warren Street and Grant Avenue

A STOP sign shall be installed on Warren Street.

- y. Washington Street and Hunt Street

STOP signs shall be installed on Washington Street.

- z. Waterway and Buttonwood Lane

A STOP sign shall be installed on Waterway.

- z.1. Woodmere Avenue and Shrewsbury Drive

A STOP sign shall be installed on Woodmere Avenue.

z.1.a. West Street and East River Road

STOP sign shall be installed on West Street.

- z.2. Woods End Road and Woodside Drive

A STOP sign shall be installed on Woods End Road.

- z.3. Woodside Drive and Hance Road

A STOP sign shall be installed on Woodside Drive.

§ 7A-8A. SCHEDULE VIIIA: STOP INTERSECTIONS AT COUNTY ROADS.

No Changes.

§ 7A-9. SCHEDULE IX: YIELD INTERSECTIONS through § 7A-16. SCHEDULE XVI: SPEED LIMITS.

No Changes.

SECTION 6.

That Chapter VIII, Building and Housing, shall be amended as follows:

§ 8-1. STATE UNIFORM CONSTRUCTION CODE.

§ 8-1.1 ENFORCING AGENCY ESTABLISHED through § 8-1.2 SMOKE ALARM INSPECTION.

No Changes.

§ 8-1.3 FEE SCHEDULES.

The fee for a construction permit shall be the sum of the subcode fees listed in a through o hereof

and shall be paid before the permit is issued as determined by the construction official.

a. – h. No Changes

i. Bulkheads, Docks and Piers for Construction and Repair of the Construction Improvement. Permit fee ~~for the replacement of any bulkhead, dock, and/or pier shall be \$40 for the first \$1,000 of estimated cost and \$20 for each additional \$1,000 of estimated cost or part thereof~~ \$250.00 for bulkheads, docks and/or piers up to 100 linear feet, \$500.00 for bulkheads, docks and/or piers up to 200 linear feet, and \$500.00 plus \$1 per linear foot of bulkhead, dock and/or pier greater than 200 linear feet, not to exceed a total fee of \$1,000.00. The total combined length of bulkheads, docks and/or piers shall be used in the fee calculation. For the minor repair of any bulkhead, dock and/or pier the fee shall be \$250.00.

j. – q. No Changes.

§ 8-1.4. BIENNIAL REPORT: RECOMMENDING NEW FEE SCHEDULE through § 8-1.6. FIRE LIMITS.

No Changes.

§ 8-2. UNFIT BUILDINGS through § 8-6. PROPERTY MAINTENANCE CODE; BASIC MECHANICAL CODE; BASIC FIRE PREVENTION CODE.

No Changes.

§ 8-7. RENTAL PROPERTY—REGISTRATION REQUIRED.

§ 8-7.1. PURPOSE through § 8-7.2. DEFINITIONS.

No Changes.

§ 8-7.3. REGISTRATION.

Each and every rental unit shall hereafter be registered ~~annually~~ initially and when amended with the Local Enforcing Agency on forms which shall be provided for that purpose and which shall be obtained from the office of the Local Enforcing Agency.

All registrations shall be renewed and amended within 20 days of any change of ownership of any rental unit, and no renewal shall be less than 90 days. No rental unit shall hereafter be rented unless the rental unit is registered in accordance with this section. This registration does not constitute an approval for the use and occupancy of said unit. A Certificate of Occupancy is still required for each unit.

§ 8-7.4. REGISTRATION FORMS—FILING—CONTENTS through § 8-7.16. VIOLATIONS—PENALTIES.

No Changes.

§ 8-8. LEAD-BASED PAINT INSPECTIONS.

§ 8-8.1. PURPOSE.

The purpose of this section is to ensure inspections of every single-family, and multiple rental dwelling located within the Borough at tenant turnover for lead-based paint hazards are conducted.

§ 8-8.2. DEFINITIONS.

Unless the context clearly indicates a different meaning, the following words or phrases, when used in this section, shall have the following meanings:

Dust Wipe Sampling

A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

Lead Abatement

Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

Lead Evaluation Contractor

A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:171.1 et seq.

Lead Inspector

A person certified by the Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17-1.1 et seq. This includes the ability to perform dust wipe sampling.

Lead-based Paint Hazard

Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

Lead-Free Certification

A certification which confirms that a lead-based paint inspection was performed where no lead-based paint was identified in the dwelling unit, or that all identified lead-based paints have been fully abated in dwelling unit.

Lead-Safe Certification

A certification which confirms that a lead-based paint inspection was performed and no lead-based paint hazards were found. This certification is valid for two years from the date of issuance.

Tenant turnover

The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

Visual Assessment

A visual examination for deteriorated paint or visible surface dust, debris, or residue.

Visual Assessor

A person that is certified to perform a visual assessment.

§ 8-8.3. ADOPTION OF STANDARDS BY REFERENCE.

Unless specifically outlined below, A code defining and authorizing the periodic inspection of premises by an enforcing official concerning lead-based paint, compelling residents to remove or abatement of identified lead hazards and, prescribing penalties for failure to address violations in a timely matter is hereby established pursuant to NJAC 5:28A, a copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein.

§ 8-8.4. TITLE.

Said code established and adopted by this chapter is described and commonly known as NJAC 5:28 Lead-Based Paint Inspections in Rental Dwellings

§ 8-8.5. COPIES ON FILE.

Three copies of said NJAC 5:28 Lead-Based Paint Inspections in Rental Dwellings, have been placed on file in the office of the Borough Clerk upon the introduction of this chapter and will remain on file there for use and examination by the public.

§ 8-8.6. INSPECTION FEES.

5. No Changes

6. One year maintenance guarantee \$1,000.00-The greater of \$1,000 or 25% of sewer connection construction cost

b. – c. No Changes

§ 9-3. FIRE HYDRANTS through § 9-4. PORTABLE TOILETS AND TOILET SYSTEMS.

No Changes.

SECTION 9.

That Chapter XIII, Streets and Sanitation, shall be amended as follows:

§ 13-1. REGULATIONS CONCERNING STREETS.

No Changes.

§ 13-2. STREET EXCAVATION AND OCCUPANCY.

§ 13-2.1. DEFINITIONS AND WORD USAGE through § 13-2.13. TUNNELS AND TRENCHLESS EXCAVATIONS.

No Changes.

§ 13-2.14. GENERAL RESTORATION REQUIREMENTS.

a. All restoration of pavement, drainage facilities, curbs, sidewalks, driveway aprons, accessible curb ramps, and any other street improvement shall, to the extent specifications and details are provided therein, conform to the New Jersey Department of Transportation Standard Specifications and Standard Details for Road and Bridge Construction and to the specific requirements of this section. All pedestrian access routes, within Borough of Rumson Right-of-Way, shall be constructed in accordance with the United States Access Board ~~Proposed~~ Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, ~~dated July 26, 2011~~.

b. – d. No Changes.

e. All restoration of curbs, sidewalks, and driveway aprons (when applicable) shall conform to the United States Access Board ~~Proposed~~ Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, ~~dated July 26, 2011~~.

§ 13-2.15. EXCAVATION AND BACKFILLING REQUIREMENTS through § 13-2.24. PERSONS EXEMPT.

No Changes.

§ 13-3. SIGNS through § 13-7. CLEAN COMMUNITIES PROGRAM.

No Changes.

SECTION 10.

That Chapter XVI, Environmental Protection, shall be amended as follows:

§ 16-1. TREE PROTECTION through § 16-11. PRIVATE STORM DRAIN INLET RETROFITTING.

No Changes.

§ 16-12 PRIVATELY-OWNED SALT STORAGE

§ 16-12.1. PURPOSE

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Rumson to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 16-12.2. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

DE-ICING MATERIALS

means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

STORM DRAIN INLET

means the point of entry into the storm sewer system.

PERMANENT STRUCTURE

means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- a. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- b. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- c. The structure shall be erected on an impermeable slab;
- d. The structure cannot be open sided; and
- e. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

PERSON

means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

RESIDENT

means a person who resides on a residential property where de-icing material is stored.

§ 16-12.3. DEICING MATERIAL STORAGE REQUIREMENTS

- a. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
4. Loose materials shall be covered as follows:
 - (a) The cover shall be waterproof, impermeable, and flexible;
 - (b) The cover shall extend to the base of the pile(s);
 - (c) The cover shall be free from holes or tears;
 - (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - (e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
5. Containers must be sealed when not in use; and
6. The site shall be free of all de-icing materials between April 16th and October 14th.
- b. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- c. De-icing material storage structures, whether permanent or temporary shall comply with Ordinance Subsection 22-7.8 Accessory Buildings and Structures and Schedules 5-1 and 5-2.
- d. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 16-12.4. EXEMPTIONS

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 16-12.5. ENFORCEMENT

This ordinance shall be enforced by the Police Department or Code Enforcement of the Borough of Rumson during the course of ordinary enforcement duties.

§ 16-12.6. VIOLATIONS AND PENALTIES

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Any person(s), firms(s) or corporation(s) who violates or neglects to comply with any provisions of this section or any rule or regulation pursuant thereto, shall be subject to the penalty as stated in Chapter 3, Section 3-1.

§ 16-12.7. SEVERABILITY

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION 11.

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12.

This ordinance shall take effect upon final passage and publication according to law.

Introduced:

Passed and Approved:

I hereby approve of the
passing of this ordinance.

Joseph K. Hemphill
Mayor

Attest:

Thomas S. Rogers
Municipal Clerk/Administrator