

ORDINANCE 23-27

**AN ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF SEASIDE HEIGHTS, SO AS TO AMEND CHAPTER 98, ENTITLED "FIVE-YEAR TAX EXEMPTION AND ABATEMENT"**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 98 entitled "Five-Year Tax Exemption and Abatement," so as amend §98-4 entitled "Exemption for improvements" so as to amend subsections A. and B. in their entirety so that they shall read as follows:

- A. This chapter authorizes an exemption from taxation of improvements to multiple dwellings, commercial or industrial structures as defined herein. This exemption shall be granted only by the governing body on an individual basis after review, evaluation and approval of each application.
- B. With regard to exemption from taxation of improvements to multiple dwellings, commercial or industrial structures, the municipality shall regard, in determining the value of real property, the Assessor's full and true value of the improvements as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements are made is increased thereby. During the exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the improvements unless there is damage to the structure through action of the elements sufficient to warrant a reduction.

**SECTION 2.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 98 entitled "Five-Year Tax Exemption and Abatement," so as amend §98-5 entitled "Exemption and abatement for new construction" so as to amend subsection A. in its entirety so that it shall read as follows:

- A. This chapter authorizes the granting of a tax abatement and exemption for new construction of certain improvements to multiple dwellings, commercial or industrial structures as defined herein.

**SECTION 3.** The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 98 entitled "Five-Year Tax Exemption and

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Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

Abatement,” so as amend §98-6 entitled “Application” so as to amend the first in its entirety so that it shall read as follows:

With regard to tax exemption and abatement for improvements to multiple dwellings, commercial or industrial structures, all applicants shall provide the governing body with and application setting forth:

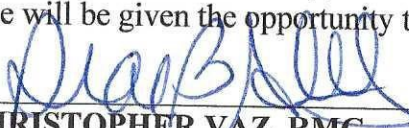
**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 6.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the 2<sup>nd</sup> day of **August, 2023**, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 6 day of **September, 2023** at 5:00 p.m., at the Council Chambers in the Borough Hall Complex located on Sherman Avenue and the Boulevard in Seaside Heights, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
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**CHRISTOPHER VAZ, RMC**  
Deputy Clerk, Borough of Seaside Heights

**r|m|s|h|c**

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