

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the November 18, 2024 meeting of the Mayor and Borough Council and will be considered for second reading and final passage during the meeting scheduled to begin at 7:00 p.m. on December 16, 2024 in the Municipal Building, located at 555 Brighton Avenue, Spring Lake Heights, at which time and place any person desiring to comment on this ordinance will be given the opportunity to be heard. A copy of the ordinance is available in the clerk's office.

Janine Gillis, Borough Clerk

**ORDINANCE No. 2024-18
BOROUGH OF SPRING LAKE HEIGHTS
COUNTY OF MONMOUTH**

**AN ORDINANCE AMENDING CHAPTER 22, ARTICLE VII, CERTIFICATES AND PERMITS
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF SPRING LAKE
HEIGHTS**

BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Spring Lake Heights in the County of Monmouth, State of New Jersey, that the Borough's Land Development Ordinance at Chapter 22, Article VII Certificates and Permits is hereby amended as follows:

NOTE: Sections of Chapter 22, Article VII Certificates and Permits that are to be amended are set forth below. All additions are shown in **bold italics with underlines**. All deletions are shown in ~~**bold italics with strikeouts**~~. All sections that are unchanged remain in regular typeface.

Chapter 22, Article VII Certificates and Permits shall be amended as follows:

Chapter 22 MUNICIPAL LAND USE REGULATIONS

ARTICLE VII Certificates and Permits

~~§ 22-700. ESTABLISHED FOR EQUITABLE ENFORCEMENT. [Ord. #6-1989, § 700]~~

~~The certificates and permits required by this article are established for the equitable enforcement and administration of the provisions of this chapter.~~

~~§ 22-701. PLAT APPROVALS REQUIRED. [Ord. #6-1989, § 701]~~

~~No zoning permit, building permit or Certificate of Occupancy shall be issued for any parcel of land or structure which was sold or, on which improvements were undertaken in violation of the provisions of this chapter or, for use of a lot which was created by subdivision after the effective date of, and not in conformity with, the provisions of this chapter unless subdivision and/or site plan approval, zoning variance or conditional use permit has been granted by the approving authority. No site improvements, such as but not limited to excavation or construction of public or private improvements, shall be commenced except in conformance with this chapter and in accordance with plat approvals and the issuance of required permits.~~

~~§ 22-702. ZONING PERMIT REQUIRED; FEE. [Ord. #6-1989, § 702; Ord. No. 27-2010; Ord. No. 2018-13; amended 4-1-2019 by Ord. No. 2019-04]~~

~~A zoning permit shall be issued by the Zoning Officer before the issuance of any building permit or certificate of occupancy. The fee for a zoning permit shall be as follows:~~

~~**Residential:**~~

<i>New Home</i>	\$250
<i>Additions</i>	\$150
<i>Pools/Hot Tubs</i>	\$50
<i>Central A/C and Generators</i>	\$25
<i>Accessory Structures</i>	\$40
<i>Fence</i>	\$25

~~**Commercial**~~

<i>New Building or Addition</i>	\$250
<i>Signs</i>	\$25
<i>Change in use</i>	\$50

~~§ 22-703. CERTIFICATES OF OCCUPANCY REQUIRED. [Ord. #6-1989, § 703]~~

~~It shall be unlawful to use any lot, tract or building or part thereof hereafter created or modified, or involving a change in use, until a Certificate of Occupancy shall have been issued by the Building Official. No Certificate shall be issued unless the land, building and use comply with this chapter, unless all matters incorporated on the approved subdivision or site plan shall have been completed and certified by the Municipal Engineer, and unless the Building and Health Codes have been complied with.~~

~~§ 22-704. PAYMENT OF FEE REQUIRED. [Ord. #6-1989, § 704]~~

~~Each request for a zoning permit and a Certificate of Occupancy shall be accompanied by a certified check or bank money order payable to the Borough of Spring Lake Heights, in the amount required in Article VIII of this chapter.~~

~~§ 22-705. TEMPORARY CERTIFICATE OF OCCUPANCY.~~

~~§ 22-705.1. Zoning Officer to Issue Temporary Certificate of Occupancy. [Ord. #6-1989, § 705.1]~~

~~Upon written application, the Zoning Officer is hereby empowered to issue a temporary Certificate of Occupancy for:~~

~~a. Model homes;~~

~~b. A trailer, auto trailer, trailer coach or camper to be used for temporary residency as the temporary replacement of a damaged dwelling unit;~~

~~c. A trailer for temporary use as a construction office located on the site during construction;
or~~

~~d. For a sales office located on the site during construction.~~

~~§ 22-705.2. Temporary Certificate of Occupancy To Be Issued for Six-Month Period. [Ord. #6-1989, § 705.2]~~

~~Temporary Certificates of Occupancy may be issued for a period not to exceed six months and may be extended by the Zoning Officer, upon written application, for additional periods not exceeding six months each.~~

~~§ 22-705.3. Applications To Be Made to Zoning Officer. [Ord. #6-1989, § 705.3]~~

~~All applications for temporary Certificates of Occupancy shall be made to the Zoning Officer. The Zoning Officer, after determining that an application is in proper form, shall have the discretion to transmit a copy of the application and all supporting documents to the Police Chief, the Fire Marshal, all subcode officials and the Municipal Engineer for their review and recommendations. No temporary Certificate of Occupancy shall be issued except in compliance with this subsection in compliance with N.J.S.A. 52:27D-133 and all of the regulations promulgated thereunder.~~

~~§ 22-706. CERTIFICATE OF OCCUPANCY REQUIRED. [Ord. #6-1989, § 706]~~

~~A Certificate of Occupancy shall be required for the use of any lot, tract, building or structure, or any part thereof, upon any transfer of title, change in occupancy, change in use, or any modification or improvement for which a zoning permit or building permit has been issued.~~

~~§ 22-707. IMPROVEMENTS REQUIRED TO ISSUE CERTIFICATE OF OCCUPANCY.
[Ord. #6-1989, § 707]~~

~~Any occupancy permit will be issued only when curbs, utilities, functioning water supply and sewage collection facilities, necessary storm drainage to ensure proper drainage of the lot and surrounding land, rough grading of lots, soil stabilization, base course for the street and driveway, and sidewalks are installed to serve the lot and structure for which the permit has been requested. Streets shall not receive surface course pavement until all heavy construction has been completed. Shade trees shall not be planted until all grading and earthmoving has been completed. Seeding of grass areas shall be the final operation.~~

§ 22-700 EQUITABLE ENFORCMENT

The certificates and permits required by this article are established for the equitable administration and enforcement of the provisions of this chapter.

§ 22-701. PLAT APPROVALS REQUIRED.

No zoning permit, building permit or Certificate of Inspection shall be issued for any parcel

of land or structure which was sold or, on which improvements were undertaken in violation of the provisions of this chapter or, for use of a lot which was created by subdivision after the effective date of, and not in conformity with, the provisions of this chapter unless subdivision and/or site plan approval, zoning variance or conditional use permit has been granted by the approving authority. No site improvements, such as but not limited to excavation or construction of public or private improvements, shall be commenced except in conformance with this chapter and in accordance with plat approvals and the issuance of required permits.

§ 22-702 PAYMENT OF FEE REQUIRED

Each request for a Zoning Permit or a Certificate of Inspection shall be accompanied by either cash or a check or bank money order payable to the Borough of Spring Lake Heights, in the amount required in the Fee Schedules set forth in this chapter.

§ 22-703 ZONING PERMIT

§ 22-703.1 ZONING PERMIT REQUIREMENT

A Zoning Permit shall be issued by the Zoning Officer before any building permit or Certificate of Inspection can be issued.

§ 22-703.2 ZONING PERMIT FEE SCHEDULE

The fee schedule for Zoning Permit shall be as follows;

<u>Borough of Spring Lake Heights</u>	
<u>Table A: Zoning Permit Fees</u>	
<u>Permit Type</u>	<u>Fee</u>
<u>Residential</u>	
<u>New Home</u>	<u>\$250</u>
<u>Addition(s)</u>	<u>\$150</u>
<u>Accessory Structure(s)</u>	<u>\$40</u>
<u>Pool/Hot Tub</u>	<u>\$50</u>
<u>Central A/C or Generators</u>	<u>\$25</u>
<u>Fence or Wall</u>	<u>\$25</u>
<u>Change in Use</u>	<u>\$200</u>
<u>Borough Engineer Review</u>	<u>\$800</u>
<u>Commercial</u>	
<u>New Building</u>	<u>\$250</u>
<u>Addition(s)</u>	<u>\$250</u>
<u>Sign</u>	<u>\$25</u>
<u>Change in Use/Owner/Tenant</u>	<u>\$200</u>
<u>Borough Engineer Review</u>	<u>\$1,600</u>
<u>Title Transfer</u>	
<u>Other than Single Family</u>	<u>\$100</u>
<u>Lead Safe State Fee</u>	<u>\$20</u>

§ 22-704. CERTIFICATE OF INSPECTION

§ 22-704.1 CERTIFICATE OF INSPECTION REQUIRED

A Certificate of Inspection shall be required for the use of any lot, tract, building or structure, or any part thereof, upon any transfer of title, change in occupancy, change in use, or any modification or improvement for which a zoning permit or building permit has been issued.

It shall be unlawful to use any lot, tract or building or part thereof hereafter created or modified, or involving a change in use, until a Certificate of Inspection shall have been issued by the Building Official. No Certificate shall be issued unless the land, building and use comply with this chapter, unless all matters incorporated on the approved subdivision or site plan shall have been completed and certified by the Municipal Engineer, and unless the Building and Health Codes have been complied with.

§ 22-704.2 CERTIFICATE OF INSPECTION FEE SCHEDULE

The fee schedule for a Certificate of Inspection shall be as follows:

<u>Borough of Spring Lake Heights</u>	
<u>Table B: Certificate of Inspection Fee Schedule</u>	
<u>Change of Occupant Due to:</u>	<u>Fee</u>
<u>Transfer of Title</u>	
<u>Single Family House</u>	<u>\$200 per House</u>
<u>Two-family, multi-family house or apartment building</u>	<u>\$15 per dwelling unit + \$200 per house or apartment building</u>
<u>Rental</u>	
<u>Single Family House</u>	<u>\$200</u>
<u>Two-family, multi-family house or apartment building</u>	<u>\$100 per dwelling unit in a house or apartment building</u>
<u>Re-Inspection Required for CI</u>	<u>\$50 per dwelling unit in a house or building; a house; or a commercial or apartment building</u>

§ 22-704.3 IMPROVEMENTS REQUIRED TO ISSUE CERTIFICATE OF INSPECTION

Any inspection permit will be issued only when curbs, utilities, functioning water supply and sewage collection facilities, necessary storm drainage to ensure proper drainage of the lot and surrounding land, rough grading of lots, soil stabilization, base course for the street and driveway, and sidewalks are installed to serve the lot and structure for which the permit has been requested. Streets shall not receive surface course pavement until all heavy construction has been completed. Shade trees shall not be planted until all grading and earthmoving has been completed. Seeding of grass areas shall be the final operation.

§ 22-705. TEMPORARY CERTIFICATE OF INSPECTION.

§ 22-705.1. Applications To Be Made to Zoning Officer.

All applications for temporary Certificates of Inspection shall be made to the Zoning Officer. The Zoning Officer, after determining that an application is in proper form, shall have the discretion to transmit a copy of the application and all supporting documents to the Police Chief, the Fire Marshal, all subcode officials and the Municipal Engineer for their review and recommendations. No temporary Certificate of Inspection shall be issued except in compliance with this subsection in compliance with N.J.S.A. 52:27D-133 and all of the regulations promulgated thereunder.

§ 22-705.2. Application to Zoning Officer to Issue Temporary Certificate of Inspection.

Upon written application, the Zoning Officer is hereby empowered to issue a temporary Certificate of Inspection for:

- a. Model homes;
- b. A trailer, auto trailer, trailer coach or camper to be used for temporary residency as the temporary replacement of a damaged dwelling unit;
- c. A trailer for temporary use as a construction office located on the site during construction;
or
- d. For a sales office located on the site during construction.

§ 22-705.3. Temporary Certificate of Inspection To Be Issued for Six-Month Period.

Temporary Certificates of Inspection may be issued for a period not to exceed six months and may be extended by the Zoning Officer, upon written application, for additional periods not exceeding six months each.