

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the June 2, 2025 meeting of the Mayor and Borough Council was scheduled for a public hearing to begin at 7:00 p.m. on June 16, 2025, 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 2025-13

BOROUGH OF SPRING LAKE HEIGHTS

MONMOUTH COUNTY, NEW JERSEY

ORDINANCE ALLOWING FOR RESIDENTS TO PETITION FOR TEMPORARY STREET CLOSURES

WHEREAS, the Borough maintains Ordinance Chapter 7 titled "Traffic" which regulates the flow of traffic throughout the Borough; and

WHEREAS, the Borough desires to establish and otherwise regulate the ability to petition for a temporary street closing to allow for community functions such as block parties and neighborhood festivals; and

WHEREAS, the Borough has determined it may be appropriate in limited circumstances to permit the temporary street closings for the purpose of aforesaid community functions.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Spring Lake Heights in the County of Monmouth, State of New Jersey, as follows:

SECTION I. Chapter 7, titled "Traffic", Section 7-17 henceforth titled "Street Closings" shall be established as follows.

§ 7-17 STREET CLOSINGS.

§ 7-17.1 Purpose.

The purpose of this section is to set forth a procedure whereby residents may apply for and receive permission to close specified streets during specified hours in order to accommodate block parties, or similar community celebrations or events on Borough streets.

§ 7-17.2 Permission required to close streets for certain events.

No person or persons, association, firm or corporation shall cause or permit a Borough street to be closed for the purpose of conducting a street fair, sidewalk sale, block party, or similar

purpose without first having procured permission from the Mayor and Borough Council, or its designee.

§ 7-17.3 Application procedure.

The Mayor and Borough Council shall not consider any application for the closing of a Borough street unless and until the person or persons, association, firm, or corporation requesting such permission (hereinafter “the Applicant”) shall first file with the borough clerk an application requesting such permission. The application shall include the following:

1. The exact date and time of the event;
2. The estimated number of people to attend the event;
3. A map denoting which street is to be closed, where barriers shall be placed, and a means of access for emergency vehicles;
4. A copy of the letter to be distributed to all residents on the street to be closed providing notification of the panned event. The letter must also inform residents that they may object to the event in writing to the Police Chief;
5. A certificate or certificates of insurance indicating to the satisfaction of the Borough that policies of the general liability insurance and excess umbrella liability insurance have been issued and are in force at the time of the street closing. Said policy or policies shall contain limits of liability in an amount to be determined by the Mayor and/or Borough Administrator at the time permission is granted for the street closing. The Mayor and/or Borough Administrator may waive the provisions and requirements of this section when deemed appropriate.
6. Any other such information as the Borough Council may prescribe by resolution.

The application may be in the form of a letter with appropriate attachments as may be necessary. Said application shall be reviewed by the Chief of Police or his designee, for purposes of public safety and traffic flow, and a recommendation shall be made to the Mayor and Council.

§ 7-17.4 Granting of Permission.

If, after examining the application provided for in § 7-17.3 and considering the recommendation of the Police Chief, the Mayor and Council shall be of the opinion that the proposed street closing will not create conditions adverse to the public health, welfare and safety, permission to close the street may be granted. Such permission shall be effective for a period of time not to exceed 48 continuous hours. Permission may be denied at the Mayor and Borough Council’s discretion for any reason whatsoever.

§ 7-17.5 Responsibilities of Applicant.

If the application is granted, the Applicant shall be responsible for operating the event such that there is minimal inconvenience to the general public. If required as a condition of approval by the Mayor and Council, this shall include providing notice to all residents living on the street to be closed by distributing the letter provided to the town pursuant to § 7-17.3. Following the event, the Applicant shall be responsible for the removal of all litter, debris, and other materials from the street or portion thereof utilized which was attributable to or caused by the event.

§ 7-17.6 Liability and Insurance.

It shall be the duty and responsibility of any applicant to agree to save the Borough, its officers, employees, and agents harmless from any and all costs, damages, and liabilities which may accrue or be claimed to accrue by reason of the street closing. The acceptance of any permit for a street closure pursuant to this Ordinance shall constitute such agreement whether the same is expressed or not.

For any commercial applicant, or any applicant that the Borough deems to be commercial in nature, the applicant shall, prior to the receipt of a permit, enter into an indemnification agreement consistent with the requirements of this subsection upon terms approved by the Borough Attorney as to legal form and provide to the Borough a certificate of insurance or certificates of insurance indicating to the satisfaction of the Borough that policies of the general liability insurance and excess umbrella liability insurance have been issued and are in force at the time of the street closing, naming the Borough as an additional insured. Said policy or policies shall contain limits of liability in an amount to be determined to be acceptable by the Borough Administrator to be appropriate at the time permission is granted for the street closing.

§ 7-17.7 Penalties.

Anyone who violates the provisions of this article shall be subject to a fine as set forth in § 1-5.1. Each day that such violation exists shall constitute a separate offense.

SECTION II. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION III. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION IV. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.