

ORDINANCE NO. 2020-06

AN ORDINANCE AMENDING CHAPTER 12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “BUILDING AND HOUSING” AS IT PERTAINS TO LOT FILL FOR LANDS EAST & WEST OF LONG BEACH BLVD.

NOW BE IT ORDAINED BY THE BOARD OF THE COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, as follows:

Section 1. Section 12-8.11 entitled “Lot Elevation” paragraph A. entitled “Land East of Long Beach Boulevard” second sentence is hereby amended and supplemented by replacing it in its entirety with the following:

All applications for a building permit shall include a plot plan showing the existing proposed grades in conformance with this section. The use of retaining walls with an impermeable barrier and drainage swales will be permitted in order to contain the fill on the lot. In addition, plot plans shall provide thereon and comply with the requirements of Section 9-10.16 for leader and gutters, perforated piping and drainage system piping to provide a positive discharge to the Municipal Street. Retaining walls shall be installed at the property line. Should a retaining wall exist along the common property line as a result of a prior lot fill, a new wall will not be required. The fill and grading on the plot plan shall incorporate the existing adjoining retaining wall and the lot fill shall be brought to the proper elevation in accordance with this section.

Section 2. Section 12-8.11 entitled “Lot Elevation” paragraph B. entitled “Land West of Long Beach Boulevard” third paragraph is hereby amended and supplemented as follows:

All applications for a building permit shall include a plot plan showing the existing proposed grades in conformance with this section. The use of retaining walls with an impermeable barrier and drainage swales will be permitted in order to contain the fill on the lot. In addition, plot plans shall provide thereon and comply with the requirements of Section 9-10.16 for leader and gutters, perforated piping and drainage system piping to provide a positive discharge to the Municipal Street. Retaining walls shall be installed at the property line. Should a retaining wall exist along the common property line as a result of a prior lot fill, a new wall will not be required. The fill and grading on the plot plan shall incorporate the existing adjoining retaining wall and the lot fill shall be brought to the proper elevation in accordance with this section. Bay or lagoon-front lot may discharge to bay directly through bulkhead.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held 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.

Section 5. This Ordinance shall take effect upon final adoption after publication in accordance with law.

ADOPTED ON: April 3, 2020