

ORDINANCE NO. 2021-15

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 13 ENTITLED “ZONING” AS IT PERTAINS TO FENCE HEIGHT AND BUILDING FOOTPRINT

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

- Section 1. The definition entitled *Building Footprint Area* of Section 13-3 of the Code of the Borough of Harvey Cedars entitled “Definitions”, is hereby amended and supplemented by adding the words “or generator” after the words “air conditioner” in the first bullet of the definition.
- Section 2. Section 13-15.1 of the Code of the Borough of Harvey Cedars entitled “General Provisions” is hereby amended by repealing paragraph a in its entirety, and re-alphabetizing paragraph b as paragraph a, and paragraph c as paragraph b.
- Section 3. Section 13-15.2 of the Code of the Borough of Harvey Cedars entitled “Fence Permit” is hereby amended by supplementing the following paragraph:
- e. Existing lots of record which adjoin filled lots, as per Section 12-8.11 entitled “Lot Elevation”, may erect a fence to a height not to exceed that of the adjoining filled lot fence. This shall only apply to fences along the property lines which abut the filled lot, as per Section 12-8.11, until such a time that elevations are matched and fences will be lowered to meet the four-foot (4’) height requirement.
- 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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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 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 6. This Ordinance shall take effect upon final adoption after publication in accordance with law.

ADOPTED ON: June 4, 2021