

**ORDINANCE NO. 2022-20**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “ZONING” AS IT PERTAINS TO DEFINITIONS, CALCULATIONS OF EASEMENTS, AND PERMIT FEES**

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

Section 1. Section 13-3 entitled “Definitions” is hereby amended by inserting the following definition in alphabetical order:

*Easement, Drainage* shall mean the lands required for the installation of stormwater sewer or drainage ditches and/or required for the preservation or maintenance of a natural stream or watercourse or other drainage facilities.

Section 2. Section 13-7.4 entitled “Easements” paragraph d. is hereby repealed and replaced as follows:

d. Every lot created pursuant to this subsection shall have a minimum area of five thousand (5,000) square feet. In computation of such area, no portion of a street or easement shall be included. The area of a lot designated as a drainage or utility easement may be used towards lot coverage and habitable area calculations provided the easement is not also an access easement.

Section 3. Section 13-16.2 of the Code of the Borough of Harvey Cedars entitled “Certificates and Permits” paragraph a. “Zoning Permits” is hereby amended by supplementing the following:

(o) Driveway permit – \$25.00

Section 4. This Ordinance repeals any inconsistent ordinance or ordinances or part of parts thereof.

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.

**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on **November 21, 2022**. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on **December 19, 2022** at 4:30pm at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

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Daina Dale, Municipal Clerk