

**BOROUGH OF LONGPORT
ATLANTIC COUNTY, NEW JERSEY
ORDINANCE NO. 2018-15**

AN ORDINANCE AMENDING CHAPTER 167-“ZONING” WITH REGARD TO SUBSECTION 11 “BUILDING PROJECTIONS” PARAGRAPH D; SUBSECTION 26 “SWIMMING POOLS, HOT TUBS AND SPAS,” PARAGRAPH C AND; SUBSECTION 37 “PUBLIC UTILITIES” PARAGRAPH B OF THE CODE OF THE BOROUGH OF LONGPORT

BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT that:

SECTION I: Paragraph D of Chapter 167 Section 11 “**Building Projections**” of the Code of the Borough of Longport is hereby deleted and replaced as follows:

- “D. Decks, porches, carports, and patios shall be permitted within the rear yard setback not closer to the rear property lines than ten (10) feet for the RSF-1 and RSF-2 Districts and five (5) feet for the RSF-3 District. No decks, porches, carports, or patios shall be constructed within the front or side yard setbacks areas. Lots having property lines adjoining the bulkheads along the Atlantic Ocean and Risley’s Channel shall be permitted to project a first floor unroofed deck or patio not higher than Elevation 11.5 NAVD1988 along the Atlantic Ocean and Elevation 11.5 NAVD1988 along Risley’s Channel to the landward face of said bulkhead, provided that said bulkhead is within the property lines. Construction of said decks or patios adjacent to the concrete seawall shall terminate at the property line and shall, in no case, extend up to or over the concrete wall. On such permitted decks, porches, or patios, railing shall be limited to 42 inches above the finish height of the deck. Along the Atlantic Ocean and Risley’s Channel, no decks extending to the bulkhead of seawall shall be permitted within the side yard setbacks.”

SECTION II: Paragraph C. of Chapter 167 Section 26 “**Swimming Pools, Hot Tubs, and Spas**” of the Code of the Borough of Longport is hereby deleted and replaced as follows:

- “C. Floodplain. All pool equipment shall be placed on a foundation with a finish elevation not less than the Base Flood Elevation for the lot as designated on the DFIRM. With the exception of pool and spas placed within rear yard patios and decks along the Atlantic Ocean and Risley’s Channel (between the principal structure and bulkhead/seawall), no pool coping shall be higher than two (2) feet above the top of curb elevation on the street abutting said lot. For pools placed within the setbacks abutting alleys or Beach Terrace, no pool coping shall be higher than two (2) feet above the existing asphalt or concrete pavement or existing curb, whichever is the higher.”

SECTION III: Paragraph B. Chapter 1676 Section 37 “**Public Utilities**” of the Code of the Borough of Longport is hereby deleted and replaced as follows:

- “B. In cases where the extension of primary utility service is necessary to service existing or new buildings in established subdivisions or commercial districts, the present method of primary service may be continued. In the case of overhead utilities, should a roadway widening or such other condition occur as a result of new development requiring the replacement or relocation of such existing primary utilities, such replacement or relocation shall be underground. For all new and substantially improved or damaged residential construction, all new and relocated utility service shall be placed underground. For the purpose of underground utility only, substantial improvement shall be when the cost of improvement exceeds 40% of the Municipal Assessed Value the principal structure as indicated on the Official Municipal Tax Records. The Zoning Officer shall have the right to independently calculate the cost of improvement based on published comparative construction values.”

SECTION IV: All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgement shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION II: This Ordinance shall take effect immediately upon passage and publication as required by Law.

First Reading/ Reintroduction as Amended 8/08/2018 Publication:

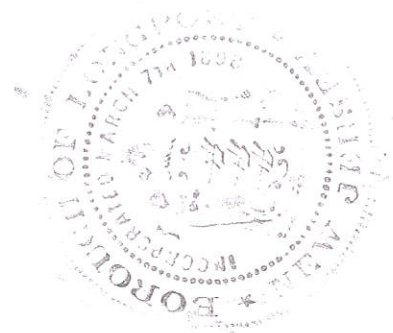
DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo	X		X			
Leeds			X			
Lawler		X	X			
X-indicates vote NV-not voting AB. - Absent						

Second Reading / Public Hearing as Amended 8/22/2018 Publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo	X		X			
Leeds		X	X			
Lawler						X
X-indicates vote NV-not voting AB. - Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

/s/ **MATTHEW CONLON, ACTING MUNICIPAL CLERK**



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First Reading: 08/08/2018

Publication:

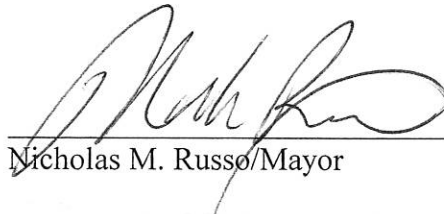
Second Reading:

Publication:

SIGNATURE PAGE



Matthew Conlon, Acting Municipal Clerk



Nicholas M. Russo/Mayor