

**Borough of Longport
O2017-12**

**An Ordinance Amending Chapter 61 Beaches, Parks and Recreational Areas,
Subsection 61-6 Rules and Regulations**

Whereas, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

Whereas, the Board of Commissioners of the Borough of Longport, New Jersey, wish to amend the rules and regulations regarding Longport's beaches, specifically sections E, G, I, K, L, and Q of Chapter 61-6 Rules and Regulations; and

Now, Therefore Be It Resolved, by the Borough Commissioners of the Borough of Longport that the Code of the Borough of Longport, Chapter 61 entitled "Beaches, Parks and Recreational Areas" shall be amended to the Code of the Borough as follows:

**Chapter 61. Beaches, Parks and Recreational Areas
Article 1. Regulation of Paid Beaches
Section 61-6 Rules and Regulations**

It shall be unlawful for any person to engage in any of the following acts or conducts during the bathing season or at other times if so specified herein:

Section E Shall be deleted in its entirety and replaced with the following:

Section E.

Charcoal barbecue grills are prohibited, however; an exception to the foregoing prohibition may be permitted by the Borough of Longport pursuant to an adopted resolution permitting charcoal barbecue grills at certain times and under certain safety, sanitary and other conditions as may be contained in any such resolution.

Section G shall be deleted in its entirety and replaced with the following:

Section G.

To sleep on public beaches during any time between 10 pm and 6 am.

Section I shall be deleted in its entirety and replaced with the following:

Section I.

To behave in a manner as to inconvenience others, or otherwise disrupt and disturb the public peace and dignity within the beach areas defined.

Section K shall be deleted in its entirety and replaced with the following:

Section K.

To erect a tent or adjacent tents which in total exceed one hundred (100) square feet. The purpose of the size exception is to permit “pop-up” or “cabana” type tents that fold up and are transported in a carry bag.

Section L shall be deleted in its entirety and replaced with the following:

Section L.

To throw, place, deposit or leave any bottles, glass, sharp or pointed articles or things, paper, refuse or debris of any kind on the beaches.

Section Q shall be deleted in its entirety and not replaced.

Section Q: DELETED

A new Section R shall be added as follows:

Section R:

Any activities that are deemed to be a danger or contrary to the health, welfare and safety of beach goers as determined by members of the Borough of Longport Department of Public Safety.

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 judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

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

4-26-2017 RECORD OF GOVERNING BODY VOTE ON INTRODUCTION- (Pub: xxxx)							
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.	
RUSO							
LEEDS							
LAWLER							
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second							
5-17-2017 RECORD OF GOVERNING BODY VOTE ON FINAL PASSAGE (pub:5/20/17)							
COMMISSION	AYE	NAY	N.V	A.B.	MOT.	SEC.	
RUSO	X						
LEEDS	X					X	
LAWLER	X				X		
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second							

This is a certified true copy of Ordinance

Adopted: _____

Emilia R Strawder, RMC

Emilia R. Strawder, RMC, CMR
Municipal Clerk

Mayor Nicholas Russo

Commissioner James P. Leeds, Sr.

Commissioner Daniel Lawler