

ORDINANCE NO. 2017-14

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTIONS 45 AND 55 OF THE TOWNSHIP CODE IN ORDER TO PROVIDE FOR AN INCREASE IN THE HEIGHT OF FENCES IN THE SIDE AND REAR OF PROPERTY ALONG LAGOONS AND WATER FRONT PROPERTIES**

**BE IT ORDAINED** by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, (hereinafter referred to as the "Township") that Sections 45-6B and 55-188.4B of the Township Code are hereby deleted and replaced with the following:

**SECTION 1.** "B. Any owner or property located on a body of water or lagoon shall be restricted to the use of see-through fencing along the side and rear of the property for a minimum distance of 15 feet from the bulkhead or rear property line so as not to obstruct the view of the lagoon. All living fences and hedges shall also adhere to the above-stated 15 ft. limitation and shall not be constructed in a continuous non-see-through manner. The see-through fencing, living fence and hedges shall not be greater than forty-eight (48) inches in height from the grade of the land upon which it is erected. In addition, all fences within the front yard between the right-of-way and the building line shall be restricted to the use of see-through fencing not greater than forth-eight (48) inches in height from the grade of the land upon which it is erected."

**SECTION 2.** The Township authorizes and directs that all appropriate and necessary documents be executed by the Mayor, Township Clerk and Township Administrator, in order to implement the intent of this Ordinance.

**SECTION 3.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 4.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5.** This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on April 4, 2017 at 6:30 p.m., or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on May 2, 2017, at 6:30 p.m., or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

  
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MICHELE RIVERS, RMC, Township Clerk

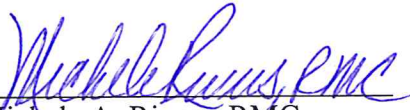
Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**  
Forked River, New Jersey 08731

**CERTIFICATION**

**Ordinance 2017-14**

I, Michele A. Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance was introduced and passed on first reading at a meeting held on the 4th day of April, 2017, and finally adopted by the Township Committee of said Township after public hearing at their regular meeting held on the 2<sup>nd</sup> day of May, 2017 at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

  
Michele A. Rivers, RMC  
Municipal Clerk

