

ORDINANCE NO. 2026-16

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 55-141 OF THE TOWNSHIP CODE
ENTITLED “APPLICATIONS REQUIRING SITE
PLAN APPROVAL”**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey, that Chapter 55 of the Township Code entitled “Land Use” and specifically § 141 of the Township Code entitled “Applications Requiring Site Plan Approval” is hereby amended and supplemented and shall read as follows:

SECTION 1.

§55-141 APPLICATIONS REQUIRING SITE PLAN APPROVAL

No building permit or zoning permit shall be issued for any new structure or for an addition or alteration to an existing structure, and no certificate of occupancy shall be issued for any change of use, unless a final major site plan or minor site plan as enumerated in § 55-154 of this chapter shall have first been approved by the Planning Board or Board of Adjustment in conjunction with the processing of a use variance as set forth in § 55-243 of this chapter, in accordance with the terms of this chapter and the Municipal Land Use Law, except that:

- A. Unchanged.
- B. Unchanged.
- C. The Zoning Officer may approve any change of use from one permitted category of nonresidential use to another permitted category of nonresidential use from site plan approval requirements if:

1. The Site has previously obtained Township Planning or Zoning Board Approval and has been developed in accordance with Chapter 55;
2. The Zoning Officer or Township Engineer ascertains that the existing site development meets the requirements of Chapter 55 for the new use; and
3. The new use does not require an increase in the number of required parking spaces.

D. Unchanged.

E. Unchanged.

F. Unchanged.

G. Unchanged.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be 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 hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **7th day of July, 2026**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **4th day of August 2026, at 10:00 AM.** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Municipal Clerk