BOROUGH OF SPRING LAKE **ORDINANCE NO. 2013-010**
COUNTY OF MONMOUTH

AN ORDINANCE AMENDING AND SUPPPLEMENTING CHAPTER 225, LAND DEVELOPMENT, SECTION 58 OF THE BOROUGH CODE

WHEREAS, Chapter 225, Land Development, of the Borough Code governs zoning and land use issues in the Borough of Spring Lake; and

WHEREAS, Article XI of Chapter 225 is entitled "Administration and Enforcement" and the Borough Zoning Review Officer and the Administration have recommended that there be added to said Article and, specifically Section 58, clarification and additional authority to regulate the use and occupancy of any business or commercial building or structure; and

WHEREAS, the Mayor and Council, have determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend same; and

WHEREAS, the proper instrument to properly regulate said activities is a "Zoning Permit" pursuant to N.J.S.A. 40:55D-7;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey that section D to Chapter 225, Section 58 is therefore is amended and supplemented with deletions reflected in ~~strikethrough~~ and additions reflected in **bold underline** as follows:

D. Zoning Permit for major additions and renovations, minor additions, ~~and~~ all incidental structures and commercial occupancy or use.

(3) No person shall occupy any business or commercial structure or unit, including any tenant or lessee, unless the owner or the owner's agent shall have first obtained a Zoning Permit issued by the Zoning Officer which shall be issued upon compliance by the owner with the applicable provisions of this Chapter 225 and any rules and regulations adopted pursuant thereto. No such permit shall be transferable. Such permit shall include the address of the commercial unit, the name of the owner and the name of the person occupying the unit. Every owner or owner's agent applying for a said permit shall supply such information as the Zoning Officer and Code Enforcement Officer requires and shall pay a fee of **$15 per commercial** unit for the inspections that may be required until the unit qualifies for the issuance of a Zoning Permit.

(4) Whenever there is a change in the use of any business of commercial structure, unit or land, a new Zoning Permit shall be applied for to ensure compliance with this Chapter 225. For the purposes of this section, "change in use" shall be broadly construed and shall, for example, include substitution of one type of retail trade use for another. A Zoning Permit shall be obtained for each and every change of and/or addition to commercial occupancy.

INTRODUCED: August 13, 2013

ADOPTED: SEPTEMBER 24, 2013

APPROVED: Jennifer Naughton
JENNIFER NAUGHTON, Mayor

Attest:

Jane L. Gillespie
JANE L. GILLESPIE, Borough Clerk

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