

**BOROUGH OF BAY HEAD**

**ORDINANCE 2022-11**

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 147 OF THE BOROUGH CODE OF THE BOROUGH OF BAY HEAD, ENTITLED "LAND USE"**

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Borough of Bay Head, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Borough Code of the Borough of Bay Head is hereby amended and supplemented so as to amend Chapter 147, entitled "Land Use" so as to amend §147-35 entitled "Notice requirements for hearings," so as to amend the first sentence in its entirety so that it shall read as follows:

Whenever a hearing is required on an application for development pursuant to N.J.S.A. 40:55D-1 et seq.; on appeals of a determination of an administrative officer pursuant to N.J.S.A. 40:55D-70a.; or for requests for interpretation pursuant to N.J.S.A. 40:55D-70b., the applicant shall give notice thereof as follows:

**SECTION 2.** The Borough Code of the Borough of Bay Head is hereby amended and supplemented so as to amend Chapter 147, entitled "Land Use" so as to amend §147-48 entitled "Schedule of fees; filing application; scheduling hearings." so as to add Subsection I. which shall be entitled "Schedule of Fees" and which shall read as follows:

**DEVELOPMENT APPLICATION FEES**

	Application Fee	Escrow Deposit
Appeal Alleging Zoning Officer Error (N.J.S.A.40:55D-70A)	\$350	\$1,500
Interpretation of Zoning Map or Zoning Ordinance and Special Questions (NJSA 40:55D-70b)	\$350	\$1,500
Variances pursuant to NJSA 40:55D-70c	\$350	\$1,500
Variances relating to the construction of fences	\$350	\$1,500
Single Family Residential	\$350	\$2,500
All others	\$350	\$1,500
<b>Request for Use Variance NJSA 49:55D-70d</b>		
Single Family Residential	\$350	\$2,500
Multi Family Residential	\$350	\$3,000
Business & Commercial	\$350	\$3,500
Request to Direct Issuance of a Permit to Build in Bed of Mapped Street (NJSA 40:55D-76a-1)	\$350	\$1,500

Request to Direct Issuance of a Permit to Build on a lot not abutting a street NJSA (40:55D-76a-2)	\$350	\$1,500
Request for Issuance of Certificate of Non-Conforming Use NJSA 40:55D-68	\$350	\$1,500
Conditional Use Approval NJSA 40:55D-67	\$500	\$2,500
Waiver of Required Submissions	\$350	\$1,500
Extend Time Period for Previously Approved Application	50% of original fee	50% of original deposit
Minor Subdivision Approval	\$350	\$2,500
<b>Major Subdivision Approval</b>		
Informational Review	\$350	\$1,500
Sketch Plat	\$350	\$1,500
Preliminary Plat (plus \$100 Application Fee and \$100 Escrow Deposit for each lot in excess of three lots)	\$350	\$2,500
Final Plat (plus \$100 Application Fee and \$100 Escrow Deposit for each lot in excess of three lots)	\$350	\$2,500
Combined Preliminary and Final Plat(plus \$200 Application Fee and \$200 Escrow Deposit for each lot in excess of three lots)	\$350	\$2,500
Amended Preliminary and Final Plat	50% of original fee	50% of original deposit
Request for Exception to Subdivision Requirements and Standards (NJSA 40:55D-51a)	\$350	\$1,500
<b>Tax Map Maintenance Fees</b>		
Minor Subdivision 2 to 4 lots	\$200	
Final Major Subdivision:		
Up to 6 Lots	\$300	
7 or greater lots	\$400 plus \$25 per lot	


**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** 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 5.** 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 Borough Council on first reading at a meeting of the Borough Council of the Borough of Bay Head held on the September 19, 2022, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the October 3, 2022 at 7:00 p.m. at the Bay Head Municipal Building, located at 83 Bridge Avenue, Bay Head, 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.

  
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Antoinette Jones, RMC, CMR  
Deputy Borough Clerk  
Borough of Bay Head