

**CITY OF BRIGANTINE
ORDINANCE 3 -2024**

**AN ORDINANCE TO AMEND CHAPTER 234 OF THE CODE OF THE CITY OF
BRIGANTINE, ENTITLED “PARKING LOTS” TO UPDATE THE PARKING
REGULATIONS IN CITY PARKING LOTS FOR PERMIT PARKING**

WHEREAS, Chapter 234 of the Code of the City of Brigantine (the “City”), entitled “Parking Lots,” governs the parking of vehicles on public and private property; and

WHEREAS, Article I of Chapter 234 governs the parking of vehicles in various municipal parking lots throughout the City; and

WHEREAS, N.J.S.A. 40:48-2.46 permits the governing body of every municipality to make and amend ordinances to regulate vehicular traffic and the parking of vehicles in parking places open to the public, including public streets; and

WHEREAS, the City Council of the City of Brigantine believes it is in the best interests of the City residents to make amendments to Chapter 234 to effectively provide for the electronic payment of parking privileges for daily and seasonal parking and for the enforcement of parking regulations in lieu of the placement of identification tags on vehicles in all of the public parking lots.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brigantine in the County of Atlantic, State of New Jersey, that Chapter 234 of the Code of the City of Brigantine shall be amended and supplemented as follows (underlined text illustrates additions, strikethrough text illustrates deletions):

ARTICLE I. AMENDMENTS TO EXISTING SECTIONS OF CHAPTER 234, ARTICLE I, ENTITLED “MUNICIPAL PARKING LOTS.”

§ 234-1 Registration and ~~identification tag required.~~ parking permit required.

- A. No person shall park any vehicle in any of the ocean front parking areas owned and maintained by the City of Brigantine for the time period beginning with the Friday of Memorial Day weekend and ending with the Monday of Labor Day weekend unless ~~such vehicle is registered with and bears an identification tag issued by the City of Brigantine as hereinafter provided.~~ such person obtains an electronic Daily or Seasonal Parking Permit for such vehicle. During the time period from Memorial Day weekend to Labor Day weekend when permit parking is required, no permit shall be necessary to park in ocean front municipal lots between the hours of 6:00 p.m. and 8:00 a.m.
- B. A Daily or Seasonal Parking Permit for parking in the municipal lots during the time period when permit parking is required can be secured upon arrival at a municipal lot using the pay-to-park Park Mobile™ payment system. Once paid for, parking for the

registered vehicle shall be valid in all parking lots associated with the mobile-pay purchase and the license plate associated with that registered vehicle shall serve as the proof of payment for that vehicle for parking enforcement purposes.

C. Payment for daily parking shall be made daily through use of the City's pay-to-park Park Mobile™ payment system utilizing a mobile cellular device. Daily parking spaces cannot be reserved or paid for in advance. Payment for seasonal parking shall be made prior to the commencement of the Friday of Memorial Day weekend through use of same payment system utilizing a mobile cellular device.

~~B.~~ D. [Remains unchanged].

~~C.~~ E. [Remains unchanged].

~~D.~~ F. [Remains unchanged].

~~E.~~ G. [Remains unchanged.]

ARTICLE II. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

ATTEST:

BRIGANTINE CITY COUNCIL

Lynn Sweeney, City Clerk

Vince Sera, Mayor

**CITY OF BRIGANTINE
ORDINANCE NO. 5 OF 2024**

**AN ORDINANCE AMENDING CHAPTER 210-37, ARTICLE II OF THE CODE OF
THE CITY OF BRIGANTINE PORTION AS IT RELATES TO FEES**

WHEREAS, the City of Brigantine is permitted by its police power to establish certain fees for services within the City of Brigantine; and

WHEREAS, the City of Brigantine is desirous of updating its fees schedule so that said fees are clearly stated in a way that will be more understandable to the general public; and

WHEREAS, the City Council of the City of Brigantine is desirous of amending said fee schedule.

NOW, THEREFORE, BE IT ORDAINED by the City of Council of the City of Brigantine in the County of Atlantic, State of New Jersey as follows:

SECTION I: Section 210-37 of the Code of the City of Brigantine shall be amended to read as follows:

“The fees and charges for licenses, permits and services provided by the City of Brigantine, except for fees set by the “Uniform Construction Code in the Construction Officials Office, and the Uniform Fire Code are as set below:

License	Fee
<u>A</u>	
1. Advertising Agency (Mercantile License)	\$50.00
2. Advertising Bill, circular and sample distributors (Mercantile License) (Per day)	\$25.00
3. Advertising & Demonstrating Bus, Wagon, Vehicle (Mercantile License) (Per day)	\$75.00
4. Advertising or Demonstration Store (Mercantile License)	\$75.00
5. Alcoholic Beverage License	
a. Club License	\$150.00
b. Plenary Retail Consumption	\$1,750.00
c. Plenary Retail Distribution License	\$900.00
6. Amusements	
a. Arcade or Group (Mercantile License)	
i. Up to five (5) types	\$500.00
ii. Over five (5) types (For each additional type)	\$75.00
b. Radio, fortune, keno, po-keno, bingo, skill bingo and similar games	

(Mercantile License)		
I.	Up to 75 chairs	\$700.00
II.	Each additional chair over 75 chairs	\$10.00
c.	Other group games having fewer than 10 chairs or no seating capacity	\$150.00
7.	Amusement Games	
a.	Category and certification	
I.	No. 1 games (Per game)	\$150.00
II.	No. 2 games	
	i. Arcades with 50 machines or fewer	\$400.00
	ii. Arcades with over 50 machines (Additional for each 50 machines or fewer)	\$400.00
III.	No. 3 games (Per game)	\$150.00
IV.	No. 4 games	
	i. Up to 200 seats	\$600.00
	ii. 201 to 350 seats	\$800.00
	iii. Over 350 seats	\$1,200.00
V.	No. 5 games (Per game)	\$150.00
VI.	No. 6 games (Per game)	\$150.00
VII.	No. 7 games (Per game)	\$150.00
b.	Any game not listed above (Per game)	\$150.00

Note: For a specific description of each category of game see Chapter 95 of the Code of the City of Brigantine

8.	Amusement Rides (Mercantile License) (Per each ride of amusement)	\$100.00
9.	Antique Shop (Mercantile License)	\$75.00
10.	Art, Needle Work or Yard Shop (Mercantile License)	\$75.00
11.	Assessment Search (By City Clerk)	\$15.00
12.	Auction House (Mercantile License)	\$200.00
13.	Auction (Mercantile Permit Fee)	\$50.00
14.	Automatic Slot Amusement Machine (Mercantile License) (Each)	\$10.00
15.	Automatic filling and Dispensing Machine (Mercantile License) (Each)	\$20.00
16.	Automatic Weighing Machine (Mercantile License) (Each)	\$10.00
17.	Automobile accessory and parts	\$75.00
18.	Automobile agency or showroom (Mercantile License)	\$150.00
19.	Automobile garage (Mercantile License)	\$75.00
20.	Automobile Servicing Station	\$75.00
21.	Awning, blind or shade shop (Mercantile License)	\$75.00

B

1.	Bait, fishing and tackle shop (Mercantile Licensing)	\$75.00
2.	Bakery or pastry shop	\$75.00
3.	Barber Shop (Mercantile Licensing)	\$75.00

4. Bath house or bathing establishment (Mercantile Licensing)	\$75.00 Plus
a. Each additional locker	\$1.00
5. Beach chair rental fee (Mercantile License)	\$75.00 Plus
a. Each additional chair	\$1.00
6. Beach sailboat permit	\$150.00
7. Beach tag fee	
a. Daily	\$10.00
b. Weekly	\$15.00
c. Seasonal badges purchased prior to June 1 st	\$20.00
d. Seasonal badges purchased after June 1 st	\$25.00
e. Seasonal badges for individuals 60 to 64 years of age purchased prior to June 1 st	\$8.00
f. Seasonal badges for individuals 65 years or older or Veterans or active military families of the Armed Forces of the United States of America	\$0.00
g. Seasonal badges for persons in active military service in the Armed Forces of the United States of America or their spouse or dependent children over the age of 12 years who reside in the same residence	\$0.00
h. Special Holiday Badge purchased prior to June 1 st	\$20.00
8. Beach vehicle, four-wheel drive permit	
a. Permit issued to an honorably discharged veteran of the United States Military or his or her spouse	\$0.00
b. Permit issued to persons in active military service in the Armed Forces of the United States of America, Reserve, National Guard or his or her spouse	\$0.00
c. Permit purchased in December for the following year through April 30 of the current year	\$200.00
d. Permit for the current year purchased from May 1 to December 31	\$300.00
e. Permit purchased in December, for the subsequent year, through February by a senior citizen or individual who is designated permanently disabled pursuant to federal Social Security regulations	\$80.00
f. Permit purchased by senior citizen or individual who is designated permanently disabled pursuant to Federal Social Security regulations during any other month	\$85.00
g. Replace lost or stolen permit	\$30.00
h. Special Event permit	\$10.00
9. Beach wave runner/jet ski launching	\$125.00
10. Beauty parlor (Mercantile License)	\$50.00
11. Bicycle sales and repairs (Mercantile License)	\$50.00
12. Billiard parlor (Mercantile License)	\$75.00 Plus
a. Per billiard table	\$20.00
13. Bingo License (Per day)	\$10.00
14. Birth Certificate	\$10.00
15. Boat Agency or salesroom and accessories	\$75.00
16. Boat ramp permit	

a. Daily	\$25.00
b. Weekly	\$35.00
c. Seasonal prior to June 1 st	\$80.00
d. Seasonal after June 1 st	\$130.00
e. Replacement of lost or stolen permit	\$30.00
f. Annual charge to marina	\$500.00
17. Boat yard or marina (Mercantile License)	
a. 1 to 5 boats	\$20.00
b. Over 5 boats (Per additional boat)	\$2.00
c. 1 to 5 slips	\$20.00
d. Over 5 slips (Per additional slip)	\$4.00
18. Boats for charter (Mercantile License)	\$50.00
19. Book store (Mercantile License)	\$75.00
20. Book sales and soliciting agents (Mercantile License)	\$75.00
21. Bottler or distributor of beverages or agent or representative thereof (Mercantile License)	\$75.00
22. Bowling alley (Mercantile License) (Per lane)	\$20.00
23. Bus Terminal (Mercantile License)	\$150.00

C

1. Carnival	\$1,500.00
2. Canvassers (Mercantile License)	\$75.00
3. Certificate of carbon monoxide, smoke detector alarm, and portable fire extinguisher compliance, when application is submitted;	
a. 11 or more business days prior to settlement	\$35.00
b. Between 4 and 10 business days prior to settlement	\$70.00
c. Less than 4 business days prior to settlement	\$125.00
4. Carpet store, furniture, and furnishings (Mercantile License)	\$75.00
5. Catamaran beach permit (See also beach sailboats)	\$150.00
6. Cat license	\$7.00
7. Certificate of Land Use Compliance	\$75.00
8. Charter boat (Mercantile License)	\$75.00
9. Cigarette vending machine (Mercantile License) (Each)	\$10.00
10. Cigar, cigarette, tobacco, candy & sundries wholesale (Mercantile License) (Each)	\$75.00
11. Cigars and tobacco – retail (Mercantile License)	\$75.00
12. Circus (Mercantile License)	\$1,500.00
13. Civil Union License	\$28.00
14. Civil Union Certified Copy	\$10.00
15. Cleaning, pressing, or dyeing (Mercantile License)	\$75.00
16. Clothing, haberdashery (Mercantile License)	\$75.00
17. Cold storage plant with public service (Mercantile License)	\$75.00
18. Commercial sign makers (Mercantile License)	\$75.00
19. Confectioner (Mercantile License)	

a. Retail	\$75.00
b. Wholesale, retail, and manufacturing	\$75.00
20. Council on Affordable Housing Development Fees	
a. Residential Development Fees	
i. Refer to Chapter 150 of the Code of the City of Brigantine	
b. Non-Residential Development Fees	
i. Refer to Chapter 150 of the Code of the City of Brigantine	
c. Residential and Non-Residential Development When a "D" variance has been granted	
i. Refer to Chapter 150 of the Code of the City of Brigantine	

D

1. Dairy products store (Mercantile License)	\$75.00
2. Dance Hall (Mercantile License)	\$250.00
3. Dance academy or studio (Mercantile License)	\$75.00
4. Death Certificate	\$10.00
5. Delicatessen without luncheonette or restaurant (Mercantile License)	\$75.00
6. Delivery or collecting vehicle engaging in retail trade not connected with an otherwise licensed business in the City of Brigantine (Mercantile License)	\$75.00
7. Detail Charges – Police, Fire, Public Works	
a. See Personnel Detail	
8. Department Store (Mercantile License)	
a. Up to 5,000 sq. ft. of sales area	\$75.00
b. From 5,000 sq. ft. to 7500 sq. ft. of sales area	\$100.00
c. Over 7,500 sq. ft. of sales area	\$200.00
9. Discovery in municipal court and other court matters	
a. \$0.75 per page up to the first 10 pages	
b. \$0.50 for pages 11-20	
c. \$0.25 for pages 21 and continuing	
d. Additional fee for tapes and other media at cost production	
10. Dog License	
a. Neutered	\$7.00
b. Unneutered	\$10.00
11. Dog License Fee, Vicious	\$700.00
12. Domestic Partnership License	\$20.00
13. Domestic Partnership Certified Copy	\$10.00
14. Driving school (Mercantile License) (Each vehicle)	\$20.00
15. Drug store (Mercantile License)	\$75.00
16. Dry goods store (Mercantile License)	\$75.00
17. Dumpster of Portable Storage Unit (First 30-Day Period)	\$35.00
a. Each additional 15-day renewal period	\$20.00
18. Dumpsters Required as Condition of Construction Permit	

- a. When construction permit is valued at \$250.00 or greater \$50.00
 - b. All others \$25.00
19. Off-Site Dumpsters
- a. First 30-day period \$75.00
 - b. Each 15-day renewal \$50.00

E

- 1. Electrical appliance and supply store (Mercantile License) \$50.00
- 2. Commercial excavations pursuant to Chapter 165 (As charged by the Construction Official) up to \$50.00
- 3. Equipment Usage
 - a. Based on FEMA Schedule of Equipment Rates

F

- 1. Fire and other altered good sale (Mercantile License) (Per day) \$10.00
- 2. Fire Prevention fees
 - a. Fees as established pursuant to Uniform Fire Code and shall be available at the Brigantine Fire Prevention office
- 3. Fire arms purchaser identification cards \$50.00
- 4. 5 and 10 cent store or similar establishments (Mercantile License)
 - a. Up to 5000 sq. ft. of sales area \$50.00
 - b. From 5000 sq. ft to 7500 sq. ft. of sales area \$75.00
 - c. Over 7500 sq. ft. of sales area \$100.00
- 5. Flood Plain Development Permit Fee \$50.00
- 6. Flower and plant store (Mercantile License) \$75.00
- 7. Food store, grocery store or market (Mercantile License)
 - a. Up to 3000 sq. ft of sales area \$75.00
 - b. From 3000 sq. ft to 4000 sq. ft of sales area \$100.00
 - c. From 4001 sq. ft. to 5000 sq. ft. of sales area \$150.00
 - d. From 5001 sq. ft. to 7000 sq. ft. of sales area \$250.00
 - e. Over 7000 sq. ft. of sales area \$400.00
- 8. Freight Terminal (Mercantile License) \$75.00
- 9. Fuel Pump not connected with a garage or service station (Mercantile License) (Per pump) \$10.00
- 10. Furnishings, furniture, or carpeting (Mercantile License) \$75.00
- 11. Retail furniture store (Mercantile License)
 - a. Up to 5000 sq. ft. of sales area \$50.00
 - b. 5001 sq. ft. to 7500 sq. ft. sales area \$75.00
 - c. Over 7500 sq. ft of sales area \$125.00
- 12. Furs and fur storage (Mercantile License) \$50.00

G

1. Games of Chance	
a. Pull tab raffles	As allowed by State
b. On premises 50/50 draw	As allowed by State
c. Off premises draw	As allowed by State
2. Garage sale or yard sale	\$15.00
3. General business establishment not otherwise classified in this fee ordinance (Mercantile License)	\$75.00
4. Going out of business sale (Mercantile License) (Each day)	\$7.00
5. Greenhouse, hothouse, flowers (Mercantile License)	\$75.00
6. Groceries, wholesale (Mercantile License)	\$100.00
7. Grocery store, food store, and market (Mercantile License)	
a. Up to 300 sq. ft. of sales area	\$75.00
b. From 300 sq. ft. to 4000 sq. ft.	\$100.00
c. From 4001 sq. ft. to 5000 sq. ft.	\$150.00
d. From 5001 sq. ft. to 7000 sq. ft.	\$250.00
e. From 7000 sq. ft of sales area	\$400.00

H

1. Handgun, permit to purchase	\$25.00
2. Handgun, permit to carry	\$150.00
3. Hardware, China, and glassware (Mercantile License)	\$75.00
4. Hazardous Material clean up	\$250.00
5. Horseback Riding Permit	\$100.00
6. Hothouse, greenhouse, flowers, or plants (Mercantile License)	\$75.00
7. Hucksters (Mercantile License)	\$75.00

I

1. Ice Business (Mercantile License)	\$75.00
2. Ice Machines (Mercantile License) (Each)	\$15.00
3. Ice Cream manufacturers and distributors (Mercantile License)	
a. Retail	\$75.00
b. Wholesale	\$100.00
4. Ice Cream parlor (Mercantile License)	\$75.00
5. Ice Cream sale on beach	\$100.00
6. Impound Lot Storage by City (Per day per vehicle)	\$15.00
a. After 30 days (Per day per vehicle)	\$25.00
7. Itinerant merchants (Mercantile License) (Per day)	\$30.00

8. Itinerant vendors (Mercantile License) (Per day) \$30.00

J

1. Jet ski beach launching \$125.00
2. Jewelry and jewelry novelties (Mercantile License) \$75.00
3. Jukebox (Mercantile License) (Each) \$10.00
4. Junk collectors by wagon or truck (Each vehicle) \$150.00

K

RESERVED

L

1. Land Use See Planning and Zoning
2. Laundry (Mercantile License)
 a. Machine operated self-service \$20.00 Plus
 i. Each washing machine or drying machine \$5.00
 ii. Other than self-serve \$75.00
3. Laundry collecting and distribution (Mercantile License) \$75.00
4. Limo (Mercantile License) (Each Vehicle) \$75.00
5. Linen and towel supply service (Mercantile License) \$75.00
6. Liquor License See alcoholic beverage license
7. List of Property Owners within 200 feet from Tax Assessor \$10.00
8. Lumberyard, hardware store (Mercantile License) \$75.00

M

1. Manufacturing place or device (Mercantile License) \$75.00
2. Marriage License \$28.00
3. Marriage License, certified copy \$10.00
4. Marina or boat yard (Mercantile License)
 a. 1 to 5 boats \$20.00
 b. Over 5 boats (Per boat) \$2.00
 c. 1 to 5 slips \$20.00
 d. Over 5 slips (Per slip) \$4.00
5. Map, Zoning \$15.00
6. Meats or poultry, wholesale (Mercantile License) \$75.00
7. Mechanical amusement device (Mercantile License) (Each) \$10.00

8. Mercantile License	
a. For all classifications not listed herein	\$75.00
b. Late charge	\$7.00
c. Transfer of license charge	\$40.00
d. Replacement of lost, stolen, defaced, or destroyed Mercantile License (Per license)	\$35.00
e. Amount to be paid to Tourism and Business Development for each mercantile license issued in the City of Brigantine	\$10.00
9. Meters and Meter Readings	See water meters
10. Millinery (Mercantile License)	\$75.00
11. Motel and hotel (Mercantile License)	\$50.00 Plus
a. Each unit with kitchen facility	\$10.00
b. Each sleeping room unit	\$5.00
12. Motorcycle sale or rental (Mercantile License)	\$75.00
13. Musical Instruments, music, or records (Mercantile License)	\$75.00

N

1. Newspapers publishers (Mercantile License)	\$75.00
2. Newsstand not connected with any licensed business (Mercantile License)	\$75.00
3. Noise variance from ordinance requirement	\$150.00
4. Notary seal (Per page or signature)	\$2.00

O

1. Optical goods (Mercantile License)	\$75.00
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P

1. Paint stores, paint supply stores and hardware stores (Mercantile License)	\$75.00
2. Parades and assemblies	\$50.00
3. Parking Lots	
a. Municipal ocean front parking lots (Seasonal)	\$30.00
b. Municipal ocean front parking lots (Daily)	\$10.00
c. Designated municipal commercial parking lots (Yearly)	\$210.00
d. Designated municipal commercial parking lots (Daily)	\$35.00
e. Temporary storage of modular homes on Municipal parking lots	See storage
4. Permit to purchase handgun	\$25.00
5. Permit to carry handgun	\$150.00
6. Photocopies	Maximum allowable Pursuant to statute
7. Photograph gallery or shop (Mercantile License)	\$75.00

8. Pickleball	
a. Season Pass (Non-senior)	\$120.00
b. Season Pass (Senior)	\$100.00
c. Season Pass (Youth)	\$60.00
d. Month Pass (31 days, no age)	\$60.00
e. Pay as you go Court Reservation (No age) (Per hour)	\$12.00
f. Pay as you go Pickleball (No age) (Per hour)	\$10.00
9. Pile driving, bulkheads and pier (Plus water usage and permit)	\$50.00
10. Pinball or similar machine (Mercantile License) (Each machine)	\$50.00
11. Ping-pong (Mercantile License) (Each table)	\$10.00
12. Planning and Zoning	
a. Subdivisions	
I. Minor and Preliminary and Final	
i. Application Fee	\$350.00
ii. Escrow Fee	\$2,500.00
iii. Amendment	\$250.00
iv. Amendment Escrow	\$1,500.00
v. Hardship 'C' Variance (Per variance)	\$50.00
vi. Escrow Variance (Per variance)	\$300.00
vii. Plot Plan Review	\$500.00
viii. Administrative Tax Map Fee (Per lot)	\$50.00
II. Major/Sketch Plat	\$200.00
III. Major Preliminary Plat	
i. Preliminary	\$400.00 Plus
a. Per Lot	\$50.00
ii. Escrow Fee	\$5,000.00
iii. Hardship Variance 'C' (Per variance)	\$50.00
iv. Escrow Variance 'C' (Per variance)	\$300.00
v. Amendment	\$100.00
vi. Amendment Escrow	\$1,000.00
vii. Final	\$400.00 Plus
a. Per Lot	\$50.00
viii. Escrow Final	\$4,000.00
ix. Extension	\$500.00 Plus
a. Per Lot	\$50.00
x. Administrative (Per lot)	\$50.00
b. Site Plan	
I. Minor	
i. Site Plan	\$750.00
ii. Site Plan Escrow	\$3,500.00
iii. Hardship Variance 'C' (Per variance)	\$50.00
iv. Hardship Escrow (Per variance)	\$300.00
v. Compliance Review	\$500.00
II. Major	

i.	Preliminary	\$750.00
ii.	Escrow	\$5,000.00
iii.	Final	\$400.00
iv.	Final Escrow	\$4,000.00
v.	Amendments	\$100.00
vi.	Amendments Escrow	\$1,000.00
vii.	Extension	\$100.00
viii.	Extension Escrow	\$500.00
ix.	Hardship 'C' Variance (Per variance)	\$50.00
x.	Hardship Escrow (Per variance)	\$300.00
xi.	Compliance Review	\$1,500.00
c.	Variance	
I.	Appeals pursuant to NJSA 40:55D-70a	\$350.00 Plus
i.	Escrow	\$1,500.00
II.	Interpretations pursuant to NJSA 40:55D-70-b	\$350.00 Plus
i.	Escrow	\$1,500.00
III.	Hardships pursuant to NJSA 40:55D-70c	\$200.00 Plus
i.	Per Variance	\$50.00
ii.	Escrow	\$1,000.00 Plus
a.	Per variance	\$300.00
IV.	Use pursuant to NJSA 40:55D-70d	
i.	Application Fee	\$400.00
ii.	Escrow Fee	\$1,500.00
V.	Compliance Review	\$500.00
d.	Conditional Use Permit	\$250.00
e.	Conditional Use Permit Escrow	\$1,000.00
f.	Conceptual Development Meeting	\$250.00
g.	Conceptual Development Escrow	\$1,000.00
h.	Administrative Review	\$1,500.00
i.	Publication of Final Decision	\$50.00 (Plus
	direct cost of publication which is paid directly to the newspaper)	
j.	Construction and Sand Moving Permit	\$500.00 (Plus
	an Inspection fee of 5% of the construction costs)	
k.	Soil Boring/Test Pits Witnessing	\$50.00 Plus
I.	Escrow	\$250.00 Plus
II.	Per additional boring/test pit	\$100.00
l.	The state fees are non-refundable	
I.	The escrow fees shall be held in escrow to cover the costs of professional services and board review, including engineering, planning and legal or other incidental costs.	
II.	Applicant will be billed additional escrow when needed. This amount must be paid prior to final resolution being provided.	
III.	Escrow funds not used shall be returned to the applicant upon completion of the project.	

- m. The applicant, as a condition of submission, shall agree in writing to pay all reasonable and necessary costs for professional review of the application and for other professional and secretarial services required by the application.
13. Plumbing, steam fitting, gas fitting supplies (Mercantile License)
 - a. Retail \$75.00
 - b. Wholesale \$100.00
 14. Police Department Detail
 - a. Sergeant (2 Hour Minimum) (Per hour) \$85.00
 - b. Patrolman (2 Hour Minimum) (Per hour) \$75.00
 - c. Detail rates on Holidays pursuant to the Collective Bargaining Agreement
 15. Fire Department Detail
 - a. Captain (2 Hour Minimum) (Per hour) \$95.00
 - b. Lieutenant (2 Hour Minimum) (Per hour) \$85.00
 - c. Fire Official (2 Hour Minimum) (Per hour) \$85.00
 - d. Fire fighter (2 Hour Minimum) (Per hour) \$75.00
 - e. Detail rates on Holidays pursuant to the Collective Bargaining Agreement
 16. Public Works Detail
 - a. Foreman (2 Hour Minimum) (Per hour) \$80.00
 - a. Laborer Operator Driver (2 Hour Minimum) (Per hour) \$70.00
 - b. Laborer (2 Hour Minimum) (Per hour) \$65.00
 - c. Hazardous Material Clean Up Fee \$500.00 Plus
 - I. Cost of cleanup based on vendor pricing
 - d. Detail rates on Holidays pursuant to the Collective Bargaining Agreement
 17. Pre employment Application Fee (Not to exceed) \$75.00
 18. Print Shop (Mercantile License) \$75.00
 19. Professional Office (Mercantile License) \$75.00

Q

RESERVED

R

1. Radio and television supplies (Mercantile License) \$75.00
2. Recreation Class Session Fees
 - a. Group fitness classes, per class, per session for seniors (Age 60+) \$2.00
 - I. 8 classes per session \$16.00
 - II. 10 classes per session \$20.00
 - III. 16 classes per session \$32.00
 - IV. 20 classes per session \$40.00

V.	24 classes per session	\$48.00
VI.	30 classes per session	\$60.00
b.	Group fitness classes, per class, per session for non-seniors (Age 18-59)	\$5.00
I.	8 classes per session	\$40.00
II.	10 classes per session	\$50.00
III.	16 classes per session	\$80.00
IV.	20 classes per session	\$100.00
V.	24 classes per session	\$120.00
VI.	30 classes per session	\$150.00
3.	Rental Registration/inspection fees	
a.	Initial rental registration inspection (Per unit for all units)	\$150.00
b.	Reinspection due to failed initial inspection	\$25.00
c.	Reinspection due to failed re-inspection (Per unit for all units)	\$100.00
d.	Reinspection due to change in tenancy (Per unit for all units)	\$100.00
e.	Non-life Hazard Inspection	\$60.00
f.	Short term rental: License Fee (Per advertised bedroom)	\$150.00
g.	Digital Lodging Tax (Marketplace only) (Per online booking)	1.25 %
h.	License Transfer Fee (All rentals) (Per unit)	\$150.00
4.	Restaurant, luncheon, and diner (Mercantile License)	\$75.00 Plus
a.	Per Seat	\$1.00
5.	Returned Payment (Electronic fund transfer and check)	\$30.00
6.	Revocable License Fee	
a.	Refer to Chapter 260 of the Code of the City of Brigantine	

S

1.	Sailboat, beach permit	\$150.00
2.	Sewer	Individual Ordinance
3.	Sewer service connection changes	Individual Ordinance
4.	Sewing Machine License (Mercantile License)	\$75.00
5.	Shoe Sales and repairs (Mercantile License)	\$75.00
6.	Shooting gallery (Mercantile License)	\$500.00
7.	Shows and other open-air amusements (Mercantile License)	\$300.00
8.	Sidewalk, streets, and curbs	See streets, curbs, and sidewalks
9.	Site plan	See Planning and Zoning
10.	Skating Rink (Mercantile License)	\$75.00
11.	Certificate of smoke detector carbon monoxide alarm and portable fire extinguisher compliance, when application is submitted;	
a.	11 or more business days prior to settlement	\$35.00
b.	Between 4 to 10 business days prior to settlement	\$70.00
c.	Less than 4 business days prior to settlement	\$125.00
12.	Special Event Fees (Special Event in Recreational Areas – Beaches, Parks, 26 th Street Complex, 42 nd Street Complex, Park, on Golf Course Drive, North	

End Observation Deck, Parades and Assemblies)

- a. Guests of 20 and under \$25.00
- b. Guests 20 to 50 \$50.00
- c. Guests 50 to 100 \$125.00
- d. Guests over 100 \$250.00
- e. Commercials/Films, Surfing Events Recreational Games (Up to 3 days) \$350.00
 - i. Each additional day \$200.00
- f. Professional Photo Sessions (Per day) \$50.00
- g. Rental of Beach Patrol Equipment (Boats/Stand) (Per day) (With Public Works setup) \$175.00

** Special events with guests over 100 will be allowed only after 6:00pm unless approved by the City Manager.

- 13. Stationary, book, magazine and/or novelty store (Mercantile License) \$75.00
- 14. Storage (Temporary) Modular homes on municipal parking lots (Per day) \$50.00
- 15. Streets, curbs, and sidewalks permit applications \$150.00
- 16. Street openings
 - a. Permit \$150.00
 - b. Guarantee or bond \$1,000.00
- 17. Storage warehouse (Mercantile License) \$100.00
- 18. Store Order or catalog store \$75.00
- 19. Stores or businesses not otherwise classified herein (Mercantile License) \$75.00
- 20. Structures
 - a. Permit for moving structure \$500.00
 - b. Employee services, per hour, with a minimum of two (2) police officers and two (2) Public Works employees required as well as any appropriate equipment as determined by the Department of Public Works See Personnel Detail
 - c. Additional employee services per hour, per police officer or Public Works employee including any employees necessary for police department notification along route and any additional services or labor which must be provided See Personnel Detail
 - d. Any costs, losses or damages incurred plus City employee time required for repairs Actual Cost
 - e. Escrow fee \$5,000.00
- 21. Subdivision See Planning and Zoning

I

- 1. Tailor or clothing repair (Mercantile License) \$75.00
- 2. Tax assessor list of properties within 200 feet \$10.00
- 3. Tax Search export (Per year) \$1500.00
- 4. Tax sale certificate of redemption (Per certificate) \$25.00
- 5. Tax search fee \$10.00
- 6. Tax Sale Certificate Replacement \$100.00

7. Taxicabs	
a. Taxicab owner's license (Per taxicab per year)	\$250.00
b. Taxicab driver's license (Per year)	\$35.00
c. Administrative transfer fee for transfer of, taxicab owner's license (Per license)	\$35.00
d. Administrative fee for issuance of an owner's license for a vehicle replacing a lost, stolen, or damaged license (Per license)	\$35.00
e. Administrative fee for issuance of a taxicab driver's license to replace a lost, stolen, or damaged taxicab driver's license (Per license)	\$35.00
f. Temporary New Year's Eve License	\$25.00
8. Tennis	
a. Season Pass (Non-senior)	\$120.00
b. Season Pass (Senior)	\$100.00
c. Season Pass (Youth)	\$60.00
d. Month Pass (31 days, no age)	\$60.00
e. Pay as you go Court Reservation (No age) (Per hour)	\$12.00
f. Pay as you go Pickleball (No age) (Per hour)	\$10.00
9. Theater, cinema, or playhouse (Mercantile License)	\$125.00
10. Trampoline (Mercantile License)	\$75.00 Plus
a. Each trampoline	\$5.00
11. Transient merchant or itinerant vendor (Per day)	\$75.00

U

1. Undertaker, mortician, or funeral home (Mercantile License)	\$75.00
2. Upholsterer (Mercantile License)	\$50.00

V

1. Variance	See Planning and Zoning
2. Variety store	See 5 and 10 cent store
3. Vehicles	
a. Each vehicle being used for the following purposes, except where the owner thereof is paying a license fee pursuant to this section of the Code of the City of Brigantine for the purpose in which the vehicle is being used.	
I. Sale and/or delivery of milk, ice, bread, or bakery products (Per vehicle)	\$25.00
II. Sale, solicitation, or delivery of materials in conjunction with fumigation or extermination of rodents or pests (Per vehicle)	\$50.00
III. Sale, solicitation, delivery, and performing landscaping, gardening, or nursery services (Per vehicle)	\$50.00

- | | |
|---|----------|
| IV. Sale, solicitation, delivery, merchandising or performing services not otherwise classified (Per vehicle) | \$50.00 |
| 4. Vehicles, Storage at City Impound Lot (Per day) | \$15.00 |
| 5. Vending machines (Mercantile License) (Per machine) | \$20.00 |
| 6. Vicious Dog License | \$700.00 |

W

- | | |
|----------------|------------------------|
| 1. Water | See separate ordinance |
| 2. Wave runner | See jet ski |

X

RESERVED

Y

- | | |
|-----------------------------|---------|
| 1. Yard Sale or garage sale | \$15.00 |
|-----------------------------|---------|

Z

- | | |
|----------------------|-----------------------|
| 1. Zoning Book | \$60.00 |
| 2. Zoning Map | \$15.00 |
| 3. Zoning & Planning | See Planning & Zoning |
| 4. Zoning Permits | \$75.00 |

ATTEST:

BRIGANTINE CITY COUNCIL

Lynn Sweeney, City Clerk

Vince Sera, Mayor

CITY OF BRIGANTINE
ORDINANCE 6-2024

**AN ORDINANCE TO AMEND CHAPTER 260 OF THE CODE OF THE CITY OF
BRIGANTINE, ENTITLED "STREETS AND SIDEWALKS" TO ADD ARTICLE
II "REVOCABLE LICENSE AGREEMENTS FOR ENCROACHMENTS"**

WHEREAS, a number of property owners, including residents and local businesses, have approached City Council to request a revocable license to allow said property owner to create or continue an existing encroachment upon municipal property; and

WHEREAS, the City of Brigantine (the "City") desires to provide a licensing process to allow property owners to obtain a revocable license, where such an encroachment is considered not to be a significant impairment to the City's use of the City property; and

WHEREAS, the encroachment will be removed at the sole cost and expense of the property owner should the Council determine, in its sole discretion, that such encroachment needs to be removed; and

WHEREAS, the City Council of the City of Brigantine believes it is in the best interest of the City residents to implement a checklist to be available to property owners in order to streamline the application process;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brigantine in the County of Atlantic, State of New Jersey, that Chapter 260 is amended and supplemented to add Article II as follows:

ARTICLE I. Add Article II to Chapter 260 as follows:

Chapter 260

ARTICLE II: REVOCABLE LICENSE AGREEMENTS FOR ENCROACHMENTS

§ 260-9 Revocable Licenses.

A. The Council, in its sole discretion, may grant a property owner of the City of Brigantine a revocable license, in writing, allowing for said property owner to create or continue an existing encroachment upon municipal property where such an encroachment is considered by the governing body not to be a significant impairment to the City's use of the City property, and will be removed at the sole cost and expense of the property owner should the Council determine, in its sole discretion, that such encroachment needs to be removed in order for the City to make use of or enter upon said City property, subject to approval by the State of New Jersey in those cases, and in those cases only, where state approval is required either because of Green Acres funding of public property or other state requirements. A revocable license is not a substitute for a building permit or a construction permit when either is otherwise required by this Code.

B. Any revocable license granted by the Council must be granted by resolution, be in a written form of agreement, approved by the City Solicitor and incorporate at least the following terms:

1. An indemnification and hold harmless clause protecting the municipality against any loss, injury, damage, or claim arising out of the use of the City property encroached upon;
2. A clause allowing for the termination of the revocable license upon notice of termination in the sole discretion of the Council and at the sole cost and expense of the property owner;
3. A clause discussing enforceability in case the property owner fails to comply with the aforesaid license agreement, by allowing the City to remove said encroachment at the sole cost and expense of the property owner; and
4. A term requiring the licensee to keep in place at all times personal injury liability insurance coverage, in the sum of at least \$100,000 (or other appropriate amount as required by the City), upon the owner's property and the encroachment or use, at the owner's sole cost, and ensuring that the City is named therein as an additional insured. The owner shall provide proof of such insurance coverage at the time of issuance of the license, and of the continuation of such coverage, on an annual basis, as required by the license or permit.

C. All license agreements shall be recorded in the Clerk's office of Atlantic County at the sole cost and expense of the property owner as set forth in Subsection E.

D. All license agreements shall be assignable to a new owner of the adjacent property served by the encroachment.

E. The property owner shall pay to the City a one-time application fee in the amount of \$300.00 in cash or check issued to the City of Brigantine submitted with the application, along with a deposit into the City's escrow account in the amount of \$500 which shall be used to pay for all costs associated with the solicitor's preparation of the revocable license agreement and the filing fee with the Atlantic County Clerk's office. In the event the cost of preparation and filing fees are less than \$500, the remaining funds shall be returned to the property owner. In the event that the legal fees exceed \$500, along with the filing fees, same shall be the responsibility of the property owner which shall be paid prior to the filing of the license.

§ 260-10: Application; Contents.

An application for a revocable license shall be filed in a manner and on forms provided by the City Clerk's office. The application form shall, at a minimum, contain the following information in a clear and legible manner suitable for recordation:

- A. A legal description, prepared by a New Jersey professional licensed surveyor, of the adjoining property deriving the potential benefit of the encroachment;
- B. Other identifying information, including the property street address and block/lot of

- both the private and public property;
- C. A legal description, prepared by a licensed New Jersey professional surveyor, of the proposed encroachment both in the form of a narrative and supplemental drawings showing the type, nature, and extent of the encroachment;
 - D. An acceptable current title report, excerpt or lot book report that establishes the legal ownership of the property in question;
 - E. The identity and original, notarized signature(s) of the legal owner(s) of the adjoining property to be benefited as necessary to establish a legally binding agreement and covenant that shall run with the title of the land;
 - F. Evidence that the requested encroachment cannot be reasonably accommodated on the applicant's own property and outside the City's right-of-way;
 - G. Evidence that a hardship exists necessitating the encroachment and that the hardship was not created by the applicant or his/her agents;
 - H. Any other information that, in the opinion of the City Clerk, code enforcement and/or the City Engineer is necessary to adequately evaluate the application, including, but not limited to, property line survey, topography, geotechnical reports, drainage studies and construction details of the proposed structure; and
 - I. A nonrefundable application fee along with a check for all legal fees and filing fees as set forth more fully in § 260-9 of this chapter.

§ 260-11: Application; Procedure.

- A. Filing. An application for a revocable license into a planned or existing public right-of-way shall be filed by the owner of the property for which the revocable license is sought or by an authorized representative of the owner. Such application shall be made to the City Clerk and shall be on forms furnished by the City Clerk.
- B. Filing fee. A uniform fee, established by the Council under separate resolution, shall be required upon the filing and investigation of the application for revocable license or transfer of a revocable license to defray administrative costs incurred by the City in processing the application.
- C. Investigation. An investigation shall be conducted by all departments of the City having an interest in, or jurisdiction over, the matter. Upon the receipt of an application pursuant to the provisions of this article, the City Clerk shall transmit the application to all affected departments for written reports of findings and recommendations. All such written reports shall be submitted to the Director of Public Works for consideration when making a decision on the application.
- D. Criteria for evaluation and approval. A revocable license application may be approved when it can be reasonably demonstrated that the structure will not interfere with the present and prospective public use of a street or right-of-way and will generally conform to the following requirements:

- 1) It should be located in a manner that is not hazardous to the traveling public, including motorists, bicyclists and pedestrians;
- 2) It should be sufficiently set back from the edge of pavement or street center line to provide adequate travel, parking and walking lanes;
- 3) It should not conflict with preexisting public utility structures, especially hydrants, vault and service meters in any manner that necessitates relocation thereof at public expense or causes any other unacceptable interference, including impediments to the maintenance, relocation or repair of pipelines, conduits or substructures of any public utility;
- 4) It will not preclude public access, use or enjoyment of any area that has historically established such access, use or enjoyment;
- 5) It is not precedent-setting in nature to the extent that it creates a noticeable projection into the streetscape as established by existing construction and improvements on neighboring properties; and
- 6) It does not create structures of unusual or unacceptable appearance, form, shape or height that detract from the general quality of the streetscape.

§ 260-11: Licensee responsible for maintenance.

The licensee shall be solely responsible for the maintenance, repair, and upkeep of all structures and improvements, including landscaping, approved under a revocable license. Failure to maintain such facilities in good repair and to a reasonable prevailing standard, subject to the sole judgment of the City, may be sufficient cause for the City to order removal of such structure at the owner's expense upon 60 days' written notice.

§ 260-12: Licensee responsible for restoration.

Every licensee shall be responsible for restoring the site used pursuant to the license to its prior condition, upon the conclusion of said use or upon termination of the license, whichever occurs first. Any damage to the site or any trash, litter, or debris remaining on the site following said use shall be presumed to have been caused by the licensee, and, if the licensee fails to rebut said presumption or to repair the site or remove the materials, within five days of notice to do so, a charge may be levied upon the licensee, by the City, for the cost to remove the materials, plus an administrative surcharge of 25%.

§ 260-13: Violations and penalties.

A. Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine of not more than \$2,000. A separate offense shall be deemed committed on each day during or on which a new violation occurs or continues. The court, in its discretion, may order

the imposition of up to a maximum of 90 days of community service in addition to or as a substitute for any fine.

B. As an additional remedy, the construction or maintenance of any encroachment in violation of any provision of this chapter shall be deemed, and is declared to be, a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

ARTICLE II. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

ATTEST:

BRIGANTINE CITY COUNCIL

Lynn Sweeney, City Clerk

Vince Sera, Mayor

CITY OF BRIGANTINE

Ordinance No. 7 of 2024

AN ORDINANCE OF THE CITY OF BRIGANTINE AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE CONCERNING THE POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES

WHEREAS, the City Manager and City Solicitor have reviewed the municipal code and determined that updates are required concerning the possession or consumption of alcohol in public places; and

WHEREAS, the City Council reviewed the recommendations and seek to codify these amendments; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey that the Brigantine City Code be and is hereby amended and supplemented with as detailed herein. **(Amendments in Bold and Underline)**

SECTION 1. Amendment to Chapter 91 of the City Code entitled “Alcoholic Beverages”

Section 91-4 of the City Code is amended and supplemented to read as follows:

§ 91-4 Consumption in public prohibited.

It is hereby prohibited to drink any intoxicating liquor on any sidewalk, street, avenue, highway, public parking lot, park, recreation area or in any vehicle not on private property within the City of Brigantine, Atlantic County, New Jersey, at any time **without first applying for and obtaining a special events permit pursuant to the process established at §210-8 et seq. of this Code and a payment of a fee as established at §210-37 of the Code coupled with approval of a separate Special Events License approved by the New Jersey Division of Alcoholic Beverage Control if applicable.**

SECTION 2. Amendment to Chapter 241 of the City Code entitled “Recreational Facilities”

Section 241-1 of the City Code is amended and supplemented to read as follows:

§ 241-1 Alcoholic beverages prohibited.

No individual will be allowed to consume alcoholic beverages on, in or about the various recreation facilities in the City of Brigantine. For the purposes of this section, anyone who possesses an open

container of alcoholic beverage will be considered to have consumed the same. **This section shall not apply to the City Golf Course and clubhouse facilities.**

SECTION 3. No amendments to alcohol on beach areas.

Nothing herein shall amend the prohibition of possessing or consuming alcoholic beverages on the City's beaches and such provisions shall continue in full force and effect.

SECTION 4. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

ATTEST:

BRIGANTINE CITY COUNCIL

Lynn Sweeney, City Clerk

Vince Sera, Mayor

Introduction: April 3, 2024

Adoption: April 17, 2024

CITY OF BRIGANTINE
RESOLUTION NO. 2024
A RESOLUTION BY THE CITY OF BRIGANTINE NEW JERSEY
AUTHORIZING PURCHASING CHEVY TAHOE VEHICLE UNDER STATE CONTRACT 21-FLEET- 01483 FROM
HERTRICH FLEET SERVICES INCORPORATED

WHEREAS, the City of Brigantine needs new and upgraded Tahoe vehicle and;

WHEREAS, Hertrich Fleet Services can provide vehicles under NJ State Contract 21-Fleet-01483 and:

WHEREAS, the vehicle is being added to the City fleet can be purchased without public bidding in the amount of \$50,916.20 for a Chevy Tahoe and;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a vehicle can be purchased for the City Fleet and;

BE IT FURTHER RESOLVED that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # C-04-23-016-853

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of April, 2024

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

**CITY OF BRIGANTINE
RESOLUTION 2024-**

**A RESOLUTION AUTHORIZING A CONTRACT WITH JPSC 239
LLC FOR OPERATING THE CITY MINI GOLF FACILITY**

WHEREAS, the City of Brigantine advertised for public bidding for the operation of the Mini Golf facility and;

WHEREAS, the City of Brigantine received one bid proposal and;

WHEREAS, JPSC was the lowest responsible bidder to pay the City in the amount of \$26,000.00 per season.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey the City enter into a contract with JPSC 239 LLC. for operating the Mini Golf facility and;

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of April, 2024.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

RESOLUTION NO.
2024-

**RESOLUTION AUTHORIZING THE CITY OF
BRIGANTINE TAX COLLECTOR TO PREPARE AND MAIL
ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L.
1994, C73**

WHEREAS, THE Atlantic County Board of Taxation has been unable to certify tax rates throughout Atlantic County at this time and the City will be unable to mail the 2024/2025 Preliminary tax bills on a timely basis; and

WHEREAS, the City of Brigantine Tax Collector in consultation with the City of Brigantine Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Brigantine, County of Atlantic, State of New Jersey, on the 3rd day of April 2024 as follows:

1. The City of Brigantine Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the City for the third installment of 2024 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54.4-66.3).
2. The entire estimated tax levy for 2024 is hereby set at \$65,346,549.53
3. In accordance with the law the third installment of 2024 taxes shall not be subject to interest until the later of August tenth or the twenty-fifth calendar day after the date the estimated tax bills were mailed.

Dated April 03, 2024

City of Brigantine

Estimated Tax Calculation 3rd Quarter 2024

	<u>2023 Actual</u>	<u>2023 Tax Rate</u>	<u>2024 Estimated</u>	<u>Estimate Rate</u>
County	\$23,119,705.57	0.673	\$23,813,296.74	0.675
District School	\$15,888,114.00	0.463	\$16,364,757.42	0.476
Local School Debt Service	\$979,551.40	0.029	\$1,008,937.94	0.030
Local Municipal	<u>\$23,455,881.00</u>	<u>0.683</u>	<u>\$24,159,557.43</u>	<u>0.703</u>
Total Levy +3.00%	\$63,443,252.01	1.848	\$65,346,549.53	1.884

Net Valuation Taxable	<u>2023</u>	<u>2024</u>
	3,434,155,000	3,495,385,600

Prepared and Certified By:

Tax Collector

CFO

CITY OF BRIGANTINE

RESOLUTION 2024-

**RESOLUTION AUTHORIZING THE CITY OF BRIGANTINE TO ENTER INTO A
LEASE WITH BRIGANTINE ROWING FOR THE DISABLED, INC.**

WHEREAS, the City is the owner of that certain land and improvements, known as 518 Bayshore Avenue, Brigantine, New Jersey 08203 and further identified at Block 6705, Lot 2.01 on the Tax Maps of the City of Brigantine (the “City Property”); and

WHEREAS, Brigantine Rowing for the Disabled, Inc. seeks authorization to enter a lease with the City to provide its not-for-profit services; and

WHEREAS, the funds tendered through this lease will be used to offset the City’s payment of maintenance costs, cleaning and repairs of the City’s Property;

WHEREAS, the parties desire to enter a lease agreement to detail the terms of this relationship;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey that:

- 1) The City is authorized to enter a lease agreement with Brigantine Rowing for the Disabled, Inc., A New Jersey non-profit corporation for the use of 518 Bayshore Avenue, Brigantine, New Jersey 08203 and further identified at Block 6705, Lot 2.01 on the Tax Maps of the City of Brigantine
- 2) The Mayor, City Manager, and City Clerk are authorized to execute any and all documents in furtherance of this Resolution upon review and approval of such documents by the City Solicitor’s Office.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of April, 2024.

City of Brigantine

Lynn Sweeney, RMC
City Clerk

LEASE AGREEMENT

THIS LEASE ("Lease") is made and entered into between City of Brigantine, a political subdivision of the State of New Jersey, referred to in this Lease as "Landlord", and Brigantine Rowing Rowing for the Disabled, Inc., a New Jersey non-profit corporation, referred to in this Lease as "Tenant".

Landlord is the owner of that certain land and improvements, known as 518 Bayshore Avenue, Brigantine, New Jersey 08203 and further identified at Block 6705, Lot 2.01 on the Tax Maps of the City of Brigantine ("Premises"). In consideration of the mutual covenants and agreements set forth in this Lease, and other good and valuable consideration, Landlord leases to Tenant the Premises.

ARTICLE I. TERM

1.01 Term of Lease. The term ("Term") of this Lease shall be for a perpetual commencing on April __, 2024 (the "Commencement Date"), and ending on upon sixty (60) days' written notice by either Landlord or Tenant to the other party (the "Termination Date").

ARTICLE 2. RENT

2.01 Rent. During the Term, Tenant agrees to pay to Landlord monthly rent in the amount of One Thousand Five Hundred Dollars (\$1,500.00) ("Rent") for the Premises. The Rent shall be used towards Landlord's payment of all maintenance costs, cleaning and repair on the Premises.

2.02 Taxes, Assessments and Expenses. Except as set forth herein, Landlord shall be obligated hereunder to pay all costs and expenses incurred with respect to, and associated with, the Premises, including, without limitation, all taxes and assessments, utility charges, replacement and restoration expenses together with any and all other assessments, charges, costs and expenses of any kind or nature whatsoever related to, or associated with, the Premises. Notwithstanding the foregoing, Tenant shall be obligated hereunder to pay all costs related to bills from Comcast Corporation, including, but not limited to, television and internet service.

ARTICLE 3. USE OF PREMISES

3.01 Permitted Use. Tenant shall use the Premises as a boathouse.

3.02 Waste, Nuisance or Illegal Uses. Tenant shall not use, or permit the use of, the Premises in any manner resulting in waste of the Premises or constitutes a nuisance or violates any statute, ordinance, rule or regulation applicable to the premises or for any illegal purpose. The Tenant shall not use the Premises or permit them to be used in any manner that will cause a cancellation of, or exclusion to, any fire, liability or other insurance policies insuring the Premises or any improvements on the Premises, or insuring the Landlord for any liability in connection with the ownership of the Premises.

ARTICLE 4. REPAIRS AND MAINTENANCE

4.01 Repairs by Landlord. Landlord at its own expense and risk, shall be responsible for the maintenance and repair of the Premises, interior and exterior including, but not limited to, all equipment (including wiring), fixtures, fit-up and appliances now or hereafter located at or in the Premises. Same shall be maintained by Tenant in good and safe order, condition and appearance, and Tenant shall make all necessary and appropriate repairs, upgrades, replacements and renewals thereto. In the event of any damage to the Premises by Tenant, Landlord shall be permitted to seek reimbursement for all reasonable costs expensed towards the repair of such damage.

ARTICLE 5. ALTERATIONS, ADDITIONS AND IMPROVEMENTS

5.01 Consent of Landlord. Tenant shall not make any alterations, additions or improvements to the Premises without the prior written consent of Landlord. Consent for nonstructural alterations, additions, or improvements shall not be unreasonably withheld or unduly delayed by Landlord.

ARTICLE 6. INTENTIONALLY OMITTED

ARTICLE 7. INSURANCE AND INDEMNITY

7.01 Liability Insurance. Landlord and Tenant hereby acknowledge that Tenant is insured through Landlord's insurance. Notwithstanding the foregoing, Tenant, at its own expense, shall provide and maintain in force during the Term of this Lease comprehensive general liability insurance with a minimum combined single limit of liability, on an occurrence basis, in an amount of One Million Dollars (\$1,000,000), covering Landlord as well as Tenant, for any liability arising out of personal injury as a result of Tenant's rowing and related activities therewith. Tenant shall furnish Landlord with certificates of all insurance required by this paragraph. The policy shall contain a clause that the Tenant will not cancel or change the insurance without first giving the Landlord ten (10) days prior written notice.

7.02 Indemnification by Tenant. Tenant covenants and agrees that it shall, at its own cost and expense, indemnify, defend and save harmless Landlord against and from, and Landlord shall not be liable to Tenant for, any and all losses, costs, damages, expenses and liabilities, including without limitation reasonable attorneys' fees ("Losses") which may be incurred or paid out by or on behalf of any person arising in any manner whatsoever from, out of or in connection with (i) the use and occupancy of the Premises by Tenant, (ii) that certain License Agreement between Landlord, Tenant and Stockton University dated July 1, 2022 (the "License"), (iii) the breach of or failure to perform any of the terms or conditions of this Lease required to be performed by Tenant, (iv) any failure by Tenant to comply with any statutes, regulations, ordinances or orders of any governmental authority, (v) any work done in or to the Premises by or on behalf of Tenant, or (vi) any act, omission, or negligence on the part of Tenant and/or its officers, employees, agents, customers and/or invitees, and Tenant covenants and agrees it shall, at its own cost and expense, indemnify, defend and save harmless Landlord against and from, and Landlord shall not be liable to Tenant for, any and all Losses which may be incurred or paid out by or on behalf of any person arising in any manner whatsoever from, out of or in connection with any accident, damages, death, injury on or about the Premises, or the damage, loss or theft of property in or about the Premises (whether involving property belonging to Tenant or any other person), resulting from any cause whatsoever. Tenant covenants, upon notice from Landlord, to defend such action or proceeding by legal counsel reasonably satisfactory to Landlord. Tenant covenants, upon notice from Landlord, to defend such action or proceeding by legal counsel reasonably satisfactory to Landlord.

7.03 Survival. The provisions of Section 7.01 and 7.02 shall survive termination of this Lease.

ARTICLE 8. DEFAULT

8.01 Default by Tenant. If Tenant allows the Rent to be in arrears more than thirty (30) days after written notice of that delinquency, or if Tenant remains in default under any other term or condition of this Lease for a period of thirty (30) days after written notice from Landlord and has failed to commence a cure of same, Landlord may at its sole option, without further notice to Tenant, terminate this Lease in which event the parties shall have no further rights and obligations to each other.

8.02 Waiver of Breach. A waiver by either Landlord or Tenant of a breach of this Lease by the other party does not constitute a continuing waiver or a waiver of any subsequent breach of the Lease.

ARTICLE 9. ASSIGNMENT AND SUBLETTING

9.01 No Assignment or Subletting Without Landlord Consent. Except for the License, Tenant may not assign, sublet, encumber, or otherwise transfer this Lease, or any right or interest in this Lease or in the Premises or the improvements on the Premises, without the written consent of Landlord. Landlord's consent to any assignment or sublease shall not be unreasonably withheld. The assignment or sublease of less than all of the Premises is prohibited.

ARTICLE 10. MISCELLANEOUS

10.01 Condition of Premises. Tenant will keep the leased property in a clean and wholesome condition and will comply at all times with all lawful health and police regulations.

10.02 Parties Bound. This Lease shall be binding upon, and inure to the benefit of, the parties to the Lease and their respective heirs, executors, administrators, legal representatives, successors, and assigns when permitted by this Agreement.

10.03 Applicable Law. This Lease shall be construed under and in accordance with, the laws of the State of New Jersey.

10.04 Legal Construction. In case any one or more of the provisions contained in this Lease shall for any reason be held by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of the Lease, and this Lease shall be construed as if the invalid, illegal, or unenforceable provision had never been included in this Lease.

10.05 Amendment. No amendment, modification, or alteration of the terms of this Lease shall be binding unless it is in writing, dated subsequent to the date of this Lease, and duly executed by the parties to this Lease.

10.06 Attorneys' Fees and Costs. If, as a result of a breach of this Lease by either party, the other party employs an attorney or attorneys to enforce its rights under this Lease, then the breaching or defaulting party agrees to pay the other party the reasonable attorneys' fees and costs incurred to enforce this Lease.

10.07 Force Majeure. Except with respect to Tenant's obligation to pay Rent, hereunder, neither Landlord nor Tenant shall be required to perform any term, condition, or covenant in this Lease so long as such performance is delayed or prevented by force majeure, which shall mean acts of God, strikes, lockouts, material or labor restrictions by any governmental authority, civil riot, floods, acts of war,

terrorism, bioterrorism, and any other cause not reasonably within the control of Landlord or Tenant and which by the exercise of due diligence Landlord or Tenant is unable, wholly or in part, to prevent or overcome.

[Signatures on following page]

The undersigned Landlord and Tenant execute this Lease Agreement on _____, 2024.

LANDLORD:

THE CITY OF BRIGANTINE

By: _____

Name:

Title:

TENANT:

**BRIGANTINE ROWING FOR THE DISABLED,
INC.**

By: _____

Name: Kay Papandrew

Title: President

RESOLUTION

2024 –

WHEREAS, the property known as Block 401, Lot 1.05, Qualifier C0005 located at 506 E. Brigantine Avenue, Brigantine, New Jersey, and recorded under the name(s) Brian and Kirsten Reed has been granted an exemption from taxes, under Chapter 171, Laws of 1981, supplementing N.J.S.A. 54:4-3.30 as a veteran who is 100% permanently and totally disabled, and

WHEREAS, Brian and Kirsten Reed became the owner(s) of the property known as Block 401, Lot 1.05 Qualifier C0005 on September 23, 2014 and Brian Reed was determined to be 100% permanently and totally disabled as of September 1, 2023, and

WHEREAS, Brian Reed filed a claim for a property tax exemption by a 100% permanently and totally disabled veteran upon the dwelling house, known as Block 406, Lot 1.05, Qualifier C0005 located at 506 E. Brigantine Avenue in the City of Brigantine, New Jersey with the tax assessor of the City of Brigantine, and

WHEREAS, the Tax Assessor has approved that tax exemption from the date of January 1, 2024 and for subsequent years on the property known as Block 401, Lot 1.05, Qualifier C0005 recorded under the name(s) of Brian and Kirsten Reed,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine that the taxes for the year 2024 from January 1, 2024 and subsequent years on the property known as Block 401, Lot 1.05, Qualifier C0005 and recorded under the name(s) of Brian and Kirsten Reed be and are hereby cancelled because he qualifies for an exemption under N.J.S.A. 54:4-3.30, and

BE IT FURTHER RESOLVED that the Tax Collector of the City of Brigantine be and is hereby authorized to note said cancellation of the taxes on the total assessment of \$597,400 in the Real Estate Tax Duplicate of the City of Brigantine from the date of January 1, 2024.

I HEREBY CERTIFY that the foregoing was duly adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey on

IN WITNESS WHEREOF, I hereunto set my hand and affix the Seal of the City of Brigantine, County of Atlantic, New Jersey this

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2024-64**

BE IT RESOLVED, by the City Council of the City of Brigantine that the City Manager is herewith authorized to execute the Voluntary Recognition and Unit Definition Agreement with the Teamster's Local Union #676.

This is to certify that the above is a lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at its meeting of April 3, 2024.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2024-**

WHEREAS, Jeffrey Delson is the owner of The Smile Factory, LLC and is desirous of renewing an amusement games license through the New Jersey Department of Law and Public Safety Division of Consumer Affairs, Legalized Games of Chance Control Commission; and

WHEREAS, according to N.J.S.A. 5:8-101 et seq and Chapter 95 of the Code of the City of Brigantine, the applicant for said license must first obtain a municipal license; and

WHEREAS, Jeffrey Delson has successfully completed an application and passed a background check, the City Council of the City of Brigantine has no objection to the renewal of the municipal license applied for and authorizes the applicant to file for the renewal of the state license and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the issuance of the license.

NOW, BE IT RESOLVED, that this resolution shall take effect immediately.

This is to certify that this is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey at its meeting of April 3, 2024.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2024-**

**A RESOLUTION AUTHORIZING AN AWARD OF CONTRACT
WITH UTILITY SERVICE CO. INC FOR EMERGENCY UTILITY
REPAIR FOR STEEL TANK AND DISINFECTION**

WHEREAS, the City of Brigantine authorized the contracted renovations for the 14th Street Tank and;

WHEREAS, the City of Brigantine found structural damage to the tower and is in need of emergency work and;

WHEREAS, Utility Service Company, Inc is the contracted vendor for the construction is able to complete the work with a change order less than twenty percent of the original contract in the amount of \$183,682.00

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey the City contract Utility Services Co, Inc for Emergency Utility Repairs and;

BE IT FURTHER RESOLVED, that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account C-06-23-015-150

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of April, 2024.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

March 1st 2024

Office of Brigantine
City Council

1417 Brigantine Ave
Brigantine NJ 08203

Dear City Council members,

I am writing on behalf of Surf n Land Sportsman's Team of Surf Fishing Angling Organization on our 34th Surf Fishing Tournament.

We are requesting your permission to hold our 34th Team Tournament on Brigantine beach. This years date will be held on Saturday May 18th 2024. Headquarters will be setup at the The American Legion Hall at 3218 W Brigantine Ave. Registration begins at 5:30am, fishing will start at 7:00 am and will end at 1:00 pm. A Luncheon and Awards ceremony will take place immediately following the tournament at the American Legion Hall as well. We plan to expect close to 150 Anglers for this event.

We are requesting the use of the beach from 2nd Street South to 40th Street South.

We would also like to request a maximum of 100, 1 Day Event 4 Wheel Drive Permits for those that do have 4 Wheel Drive Vehicles but do not have a Brigantine Permit.

Many of the Surf n Land members and Tournament participants hold Brigantine 4 Wheel Drive Permits and are very familiar with the rules and regulations for permit holders, but as the host of this Tournament, it will be our responsibility to post permit rules and regulations at headquarters, and print the rules and regulations that will accompany every drive – on participant in the Tournament Package.

Please contact me if you have any questions as I can provide you with any additional information about our Angler Event. I look forward to hearing from you.

Thank you for your consideration,

Daniel J Wiest
President of Surf n Land Sportsman's Club
215-410-6192

Surf n Land Sportsman's Club

95 Sandpiper Rd | Feasterville PA | 19053 | 215-410-6192



CITY OF BRIGANTINE

1417 West Brigantine Avenue • Brigantine, New Jersey 08203
Phone: 609-266-7500 • Fax: 609-266-3823

APPLICANT NAME: BEIAN WISLER Fwisler@gmail

ADDRESS: 2501 TURNER RD

STATE: NJ ZIP: 08234 CELL PHONE: 457-1624 HOME PHONE: _____

WEDDING CEREMONY PERMIT FEE

- GUEST-20 AND UNDER **\$25.00**
- GUEST-20 TO 50 **\$50.00**
- GUEST-50-100 **\$125.00**
- GUEST-OVER 100 **\$250.00**

SPECIAL EVENTS

- COMMERCIALS/FILMS/SURFING EVENTS/RECREATIONAL GAMES **\$350.00 hr**
to three days
- PROFESSIONAL PHOTO SESSIONS **\$200.00 each**
additional day
- RENTAL OF BEACH PATROL EQUIPMENT **\$50.00 per day**
(BOATS/STANDS) **\$175.00 per day**

CEREMONY OR SPECIAL EVENT DATE, TIME, LOCATION REQUESTED

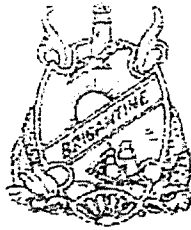
ACTIVITY: VETERAN SURFING DATE: 7/8-7/9 # GUEST 50 per day
TIME: 8am Location: 16th BEACH

Please send a completed signed application along with the Hold Harmless Agreement and the required application fee to City of Brigantine, 1417 W. Brigantine Avenue, Brigantine, New Jersey 08203

The undersigned agrees to abide by the following rules for the non-exclusive right to use the City of Brigantine beaches and/or parks.

- The Site must be accessible to the public at all times. No blocking the pathways.
- No alcoholic beverages are allowed.

BW 3/19/24



CITY OF BRIGANTINE

1417 West Brigantine Avenue • Brigantine, New Jersey 08203

Phone: 609-255-7500 • Fax: 609-266-3023

APPLICANT NAME: Heart of Surfing
 ADDRESS: 301 Dorchester Dr Easy Harbor Twp
 STATE: NJ ZIP: 08204 CELL PHONE: 334-1696 HOME PHONE: 609 705-5323
 609

WEDDING CEREMONY PERMIT FEE

- GUEST-20 AND UNDER \$25.00
- GUEST-20 TO 50 \$50.00
- GUEST50-100 \$125.00
- GUEST-OVER 100 \$250.00

SPECIAL EVENTS

- COMMERCIALS/FILMS/SURFING EVENTS/RECREATIONAL GAMES \$350.00 up to three days \$200.00 each additional day
- PROFESSIONAL PHOTO SESSIONS 4-20 4-27 \$50.00 per day
- RENTAL OF BEACH PATROL EQUIPMENT (BOATS/STANDS) 5-4 5-18 \$175.00 per day

CEREMONY OR SPECIAL EVENT DATE, TIME/LOCATION REQUESTED

ACTIVITY: skateboard / scooter DATE: 4-20 4-27 # GUEST 30
 TIME: 1pm Location: Skatepark

Please send a completed signed application along with the Hold Harmless Agreement and the required application fee to City of Brigantine, New Jersey 08203 ; 1417 W. Brigantine Avenue, Brigantine,

The undersigned agrees to abide by the following rules for the non-exclusive right to use the City of Brigantine beaches and or parks.

- The Site must be accessible to the public at all times. No blocking the pathways.
- No alcoholic beverages are allowed.

[Signature] 3-25-24

(Signature of Applicant)

(Date)