

City of Brigantine
ORDINANCE NO. 13 OF 2024

**AN ORDINANCE SUPPLEMENTING CHAPTERS 127 AND 210 OF THE CODE OF
THE CITY OF BRIGANTINE CONCERNING BULKHEAD PERMIT FEES AND TO PERMIT
THE WAIVER OF FEES IN EMERGENCY SITUATIONS**

WHEREAS, the City of Brigantine established fees for bulkhead permitting; and

WHEREAS, from time-to-time a natural disaster or other emergency condition may occur causing property owners to face immediate need to replace or repair conditions upon their property which pose a threat to both their property and surrounding properties; and

WHEREAS, such residents may not be prepared for the financial impact of such events; and

WHEREAS, the City desires to establish a process where the Council, by resolution, may waive certain local construction fees on a limited bases, as a means of relieving this portion of a financial burden to our property owners in their time of need; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey that Chapters 127 and 210 of the Code of the City of Brigantine be and is hereby amended and supplemented as follows:

Section One. Amendments to Chapter 127 entitled “Bulkheads”

Chapter 127-1 of the City Code entitled “Bulkheads” is amended and supplemented to add new paragraphs “O” through “P” to read as follow:

O. Permit fees for new and replacement bulkheads and bulkhead repair shall be established at Section 210-37(B) of the City Code. When construction occurs to more than twenty percent of the bulkhead, it shall be considered a replacement project instead of a repair project.”

P. The City, may waive said fees through the process outlined in Chapter 210-37(A) of the City Code.

Section Two. Amendments to Chapter 210-37 entitled “Fee Enumerated.”

Chapter 210-37 of the City Code entitled “Fees Enumerated” is amended and supplemented to add new read as follows:

New paragraph

“A. The City Council may, by Resolution, temporarily waive local permit fees as enumerated in such Resolution, when the need for such permit is created by a natural event, public emergency or disaster beyond the control of the property owner. Said Resolution shall specifically identify which local ordinance permit

fees are being waived, the time limitation for applying for the fee, the location(s) of the City where the waiver applies if limited to a particular section and any other relevant information necessary to effectuate the waiver.”

Amendment to Existing 210-37.

The existing language in 210-37 is renumbered as paragraph “B” and the below fees for bulkhead permits are to be incorporated alphabetically into the fee schedule.

License, Permit or Service	Fee
...	
Bulkhead Permits	
New or Replacement Project (more than 20% of Bulkhead)	\$600
Minor Repair (replacement of up to 20% of Bulkhead)	\$300
...	

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. This Ordinance shall take effect upon passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by: Councilman Kane

Motion seconded by: Councilman Lettieri

VOTE:

Deputy Mayor Bew: Yes

Councilman Lettieri: Yes

Councilman Haney: Yes

Councilman DeLucry: Yes

Councilman Kane: Yes
Councilman Riordan: Yes
Mayor Sera: Yes

ACTION ON ADOPTION (after public hearing)

Motion made by: Councilman Kane
Motion seconded by: Deputy Mayor Bew

VOTE:

Deputy Mayor Bew: Yes
Councilman Lettieri: Yes
Councilman Haney: Yes
Councilman DeLucry: Not Present
Councilman Kane: Yes
Councilman Riordan: Yes
Mayor Sera: Yes

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Brigantine City Council held on August 21, 2024 and adopted after a public hearing at a meeting of the Brigantine City Council held on September 4, 2024.

Lynn Sweeney, RMC
City Clerk

Vince Sera, Mayor