

**ORDINANCE #2018-33C**

**AN ORDINANCE AMENDING AND SUPPLEMENTING Chapter 27, "Personnel," Article II, "Personnel Policies," of the Borough Code of the Borough of Beach Haven, County of Ocean, State of New Jersey**

**THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN:**

**PURPOSE**

The purpose of this Ordinance is to amend Chapter 27 of the Borough Code to reflect and implement changes to the Borough's Personnel Policies that were suggested by the Municipal Excess Liability Joint Insurance Fund.

**SECTION I**

(1) Section 27-9, "General employment practices," of Chapter 27 is amended as follows (underscores represent additions):

A. The subject of this section is "general employment practices."

B. Statement of policy:

(1) The Council must formally effect the creation of any new full-time position and authorize the filling thereof prior to the employment or engagement of a person to serve in any such position. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Borough of Beach Haven is an equal opportunity employer.

(2) The application for employment form, to be obtained at the office of the Municipal Clerk, shall be completed by all persons seeking employment. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.

(3) The Borough Manager and/or Department head will administer and coordinate the hiring process for all position vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-employment Inquiries. The Borough of Beach Haven will make reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided the accommodation does not impose an unreasonable hardship on the Borough.

(4) The New Jersey Civil Service Commission is responsible for the testing and certification of police officers and all non-entry-level, nonexempt positions.

(5) Whenever the Council shall make appointments, applicants shall be classified and given preference in order of the following classes:

- (a) Residents of Beach Haven.
- (b) Residents of Ocean County.
- (c) Other residents of the State of New Jersey.
- (d) All other qualified applicants.

(6) Pursuant to the Americans with Disabilities Act 4 after an offer of employment is made and prior to commencing employment, the Borough Manager may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves and others. The same post-offer physical examination must be performed on all applicants for a particular position. The Borough Manager may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Borough at the expense of the Borough. All medical records of employees and prospective employees are confidential and are to be maintained separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.

(7) Except when statutory requirements direct otherwise, all new employees shall be considered to be on probation for a period of three months, during which time they may be dismissed without recourse.

(8) The Payroll Officer, or other employee so designated by the Council, will, for each employee, establish and maintain a personal history file and maintain a complete and accurate record of attendance, vacations, sick leave, overtime and other pertinent information. The same person will also serve as certifying agent for matters dealing with the New Jersey Department of Personnel.

(9) Criminal Background Checks: Criminal background checks are required of all candidates, 18 years old and older, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedures outlined in the Section of this ordinance entitled "Background Checks and Procedures for Candidates, Employees and Volunteers."

C. Background Checks and Procedures for Candidates, Employees and Volunteers:

(1) Background checks required: Criminal background checks are required of all candidates over the age of 18, whether for paid or volunteer positions, who will be working directly or indirectly with children/youth/minors. Criminal background checks will also be administered for each employee or volunteer that works directly or indirectly with children/youth/minors every three years.

(2) Background check procedure: The Borough Administrator will perform or initiate criminal background checks and be the recipient of reports from outside agencies or contractors. These reports shall include, but are not limited to, court records; police department and corrections agency records; registries or watch lists; state criminal record repositories; and the Interstate Identification Index maintained by the FBI. The Borough Administrator will discuss potentially

disqualifying information received with the employee's or volunteer's department head, and a determination that the information is disqualifying shall be made based on whether the disqualification is job-related for the position and is inconsistent with business necessity. Written information received as a result of a "Request for Criminal History Record Information For A Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

When a disqualification decision has been made as a result of the Borough's "targeted screening process" described below, the Borough Administrator will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the Borough contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from working with children/youth/minors. In addition, the individual shall be advised he/she has the opportunity to explain the criminal record and to demonstrate why the exclusion based on the employer's targeted screening process should not apply to him/her under the circumstances. This information may include evidence of an error in the criminal record; facts surrounding the conviction; age at the time of the conviction and/or release from prison; evidence of a clean criminal and employment record since release; rehabilitation efforts; positive references; and evidence that he/she is bondable. Thereafter, the Borough shall give the individual further consideration. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the Borough Administrator.

(3) Conditions Under Which An Employee Will Be Disqualified From Working With Children/Youth: A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:

- (a) Homicide (N.J.S.A. 2C:11)
- (b) Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
- (c) Kidnapping (N.J.S.A. 2C:13)
- (d) Sexual Offenses (N.J.S.A. 2C:14)
- (e) Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
- (f) Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
- (g) Robbery (N.J.S.A. 2C:15)
- (h) Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes

and offenses as a result of the Borough's targeted screening process, by which the Borough has taken into account the following factors.: (a) The nature and gravity of the offense or conduct, including the consideration of (i) the harm caused by the crime; (ii) the legal elements required to prove the crime; and (iii) the classification of the crime (i.e., felony or misdemeanor, etc.); (b) The time that has elapsed since the offense, conduct, and/or completion of the sentence; (c) The nature of the job held or sought, including the consideration of: (i) the job duties (not merely the job title); (ii) the level of supervision to be provided; (iii) the working environment (e.g., private home, outdoors, warehouse); (iv) interaction with others, especially with vulnerable individuals such as children/youth/minors; and (v) the relationship of the criminal history to the job to be performed. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction. Further, an arrest record standing alone may not be used to disqualify a candidate, volunteer, or employee from an employment opportunity. However, the Borough may make a disqualification decision based on the conduct underlying the arrest if the conduct makes the individual unfit for the position in question, in which case the conduct, not the arrest, is relevant for employment purposes.

(4) Appeal Process: The Appeals Committee will be comprised of the Borough Administrator, Borough Clerk, and Police Chief.

Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the employee has 14 calendar days to file a Notice of Appeal with the Borough. Such Notice of Appeal must be sent in writing to the Borough Administrator. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to N.J.A.C. 13:59-1.6.

During the 14-day period listed above, and until the issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

In making a determination on the appeal, the following information will be considered:

- (a) The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.
- (b) The nature and seriousness of the crime or offense.
- (c) The circumstances under which the crime or offense occurred.
- (d) The date of the crime or offense.
- (e) The age of the individual when the crime or offense was committed.
- (f) Whether the crime or offense was an isolated or a repeated incident.

(g) Any social conditions which may have contributed to the commission of the crime or offense.

(h) Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.

(i) Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.

The Borough will issue a written determination on the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

(2) Section 27-26, "Americans with Disabilities Act," of Chapter 27 is amended as follows (underscores represent additions):

A. The subject of this section is "Americans with Disabilities Act (ADA)/New Jersey Pregnant Worker's Fairness Act."

B. Statement of policy.

(1) In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, as amended by the New Jersey Pregnant Worker's Fairness Act, the Borough of Beach Haven does not discriminate based on disability, pregnancy, pregnancy-related medical condition or childbirth. The Borough of Beach Haven will endeavor to make every work environment handicap accessible, and all future construction and renovation of facilities will be in accordance with applicable barrier-free federal and state regulations and the Americans with Disabilities Act accessibility guidelines.

(2) It is the policy of the Borough of Beach Haven to comply with all relevant and applicable provisions of the Americans with Disabilities Act and the New Jersey Law Against Discrimination. The Borough of Beach Haven will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth, breastfeeding or pregnancy-related medical condition. It will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an undue hardship on the Borough of Beach Haven.

(3) The Borough Manager shall initiate an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees, to identify reasonable accommodations, or their respective physician. In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in

close proximity to work area for the employee to express breast milk for the child. All decisions with regard to reasonable accommodation shall be made by the Borough Manager. Employees who are assigned to a new position as a reasonable accommodation will receive the salary of their new position. The Americans with Disabilities Act does not require the Borough of Beach Haven to offer permanent light duty, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, or wheelchairs.

(3) Section 27-28, "Equal Employment Opportunity or Anti-Discrimination Policy," of Chapter 27 is amended as follows (strikethroughs represent deletions, underscores represent additions):

A. The subject of this section is "equal employment opportunity antidiscrimination policy."

B. Statement of policy. The Borough of Beach Haven is committed to the principle of equal opportunity and antidiscrimination pursuant to Title VII of the 1964 Civil Rights Act, as amended by the Equal Opportunity Act of 1972, and the New Jersey Law Against Discrimination, as amended by the New Jersey Pregnant Worker's Fairness Act. Under no circumstances will the Borough of Beach Haven discriminate on the basis of race, color, creed, religion, national origin, ancestry, age, sex, marital status, civil union status, domestic partnership status, political affiliation, affectional or sexual orientation, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy-related medical condition), childbirth, breastfeeding, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor or, if they prefer, their department head or the Borough Manager,

(4) Section 27-44, "Personal and Electronic Privacy," of Chapter 27 is amended as follows (strikethroughs represent deletions, underscores represent additions):

A. Statement of policy:

(1) An employee's work product and the resources supplied by the Borough to create that product are the property of the Borough.

(2) Employees may not invade other employees' work spaces (lockers, desks, offices or computer files, for instance) and examine any personal items or work product. This prohibition does not apply to items kept in plain view and subject to casual observation.

(3) Except in cases of an ongoing criminal investigation, supervisors with a legitimate need to know may inspect any Borough-owned property used by employees, including work spaces, desks, lockers and electronic files. In the case of ongoing criminal investigations or police investigations, the existing Attorney General guidelines regarding access to this information shall be followed. Employees who choose to keep personal items, whether tangible or electronic, on Borough property should anticipate that the property is subject to inspection by supervisors and managers.

(4) Employees should have no expectation of privacy regarding business-related or private communications via telephone, computer, voicemail, or electronic mail when using Borough facilities. All e-mail, voicemail and internet messages are official documents subject to the provisions of the Access to Public Records Act. Employees are restricted from accessing or using the Borough's communication media for personal purposes during Borough time on Borough equipment without prior authorization from the Borough Administrator to do so.

(5) The Borough respects the individual privacy of its employees. However, employee communications transmitted by the Borough's communication media are not private to the individual. All communication media, and all communications and stored information transmitted, received, or contained in or through such media, may be monitored by the Borough. The Borough reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Borough's communication media. By using the Borough's equipment and/ or communication media, employees consent to have such use monitored at any time, with or without notice, by Borough personnel. The existence of passwords does not restrict or eliminate the Borough's ability or right to access electronic communications. However, the Borough cannot require the employee to provide his/her password to his/her personal account.

(6) All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (N.J.S.A. 47:1A-1). Employees of the Borough are required to use the assigned municipal email account for all Borough business and correspondence. The use of private email accounts for any Borough business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on their personal emails, cell phones, or other personal communication media, it is also subject to the provisions of the Open Public Records Act. However, nothing in this policy prevents employees from using his/her own personal communication media during the employee's non-working hours to engage or participate in protected concerted activities pursuant to the New Jersey Employer-Employee Relations Act. Protected concerted activities include when an employee addresses group

concerns with the employer; forms, joins or helps a labor organization; initiates, induces or prepares for group action; or speaks on behalf of or represents other employees. Nevertheless, employees are encouraged to resolve workplace grievances internally by discussing issues with their supervisor and/or the Borough Administrator, and are asked to refrain from posting comments or materials on communication media that can be viewed as malicious, obscene, threatening, intimidating, or that could create a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law if the employee chooses to address their grievances using communication media.

(7) Employees can only use the Borough's communication media for legitimate business purposes. Employees may not use Borough communication media in any way that is defamatory, obscene, or harassing or in violation of any Borough rules or policy. Examples of forbidden transmissions or downloads include sexually explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances. Further, discriminatory remarks, harassment, bullying, threats of violence and similar behavior that is not tolerated in the workplace are also not acceptable through communication media, whether same is performed on the Borough's equipment or on the employee's own personal communication media.

(a) All employees who have been granted access to electronically stored data must use a logon ID assigned by the Borough. Certain data, or applications that process data, may require additional security measures, as determined by the Borough. Employees must not share their passwords, and each employee is responsible for all activity that occurs in connection with their passwords. Information security is necessary to protect the Borough's information (data and software) from accidental or intentional unauthorized disclosure, modification, or loss. Information security is managed under guidelines dealing with identification, authentication, authorization, production environment, and ability to audit. All employees should be familiar with such security measures adopted by the Borough.

(b) All employees may access only data for which the Borough has given permission. All employees must take appropriate actions to ensure that Borough data is protected from unauthorized access, use or distribution consistent with these policies. Employees may

not access or retrieve any information technology resource and store information other than where authorized.

(c) Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Borough's computing environment.

(d) Employees may not install or modify any hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough or licensed to the Borough. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized. Workstation settings and configurations and network setting must not be modified by unauthorized employees. Internet security settings (where applicable) must not be changed. The foregoing includes but is not limited to the systems Network ID (or Computer Name), IP Address, Gateway and DNS addresses etc.

(8) Social media and its uses in government and daily life are expanding each year; however, information posted on a website is available to the public. Therefore, employees must adhere to the following guidelines for their participation in social media. Only those employees directly authorized by the Borough Administrator may engage in social media activity during work time, through the use of the Borough's communication media, as it directly relates to their work and is in compliance with this policy.

(9) Employees must not reveal or publicize confidential Borough information. Confidential, proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to, the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

(a) No Borough employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves

without the prior approval of the Borough Administrator. In addition, employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incident or occurrence taken with the Borough's communication media to any person, entity, business or media or Internet outlet, whether on or off duty, without the express written permission of the Borough Administrator. Except in emergency situations, employees are prohibited from taking digital images or photographs with media equipment not owned by the Borough.

(b) For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances, or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes, and the employee does not have access to the Borough's communication media. If such situation occurs, the employee agrees that any images belong to the Borough and agrees to release the image to the Borough and ensure its permanent deletion from the media device upon direction from the Borough.

(10) No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the Borough or on behalf of the Borough, whether through the use of the Borough's communication media or otherwise, may be issued unless it has first been approved by the CEO of the Borough. ~~Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Borough. Specifically, employees are forbidden from using the Borough's communication media to impersonate the Borough; to make statements on behalf of the Borough without authorization; and/or to make statements that can be construed as establishing what the Borough's official position or policy is on any particular issue. In addition, employees are prohibited from placing or posting on the Internet through the Borough's communication media or the employee's own personal media, either during working or non-working hours, or disclosing to anyone outside the Borough, any Borough-related confidential, sensitive or other Borough information of a proprietary nature, including but not limited to Borough records or documents, internal reports, any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incidents or occurrences.~~ Such unauthorized communications may result in disciplinary action.

(11) Because (authorized) postings placed on the Internet through use of the Borough's communication media will display on the Borough's return address, any information posted on the Internet

must reflect and adhere to all of the Borough's standards and policies.

(a) All users are personally accountable for messages that they originate or forward using the Borough's communication media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any communication media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Borough Administrator) is prohibited.

(b) Employees must respect the laws regarding copyrights, trademarks, rights of public, Borough and other third-party rights. Any use of the Borough name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Borough, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

(12) If employees choose to identify themselves as a Borough employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Borough, as such no employee shall knowingly represent themselves as a spokesperson of the Borough, post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Borough, expresses views that are detrimental to the Borough's mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. Borough employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Borough employees.

To the extent that employees use social media outside of their employment while engaging in protected concerted activities as defined above, employees will not be subject to discipline or retaliation for expressing views, opinions, and/or facts surrounding the Borough's employment policies. and, in so doing, employees identify themselves as Borough employees, or if they discuss matters related to the Borough on a social media site, For all other communications by employees on personal social media sites in which matters related to the Borough are discussed, employees must add a disclaimer on the front page, stating that ~~it~~ the posting does not express the views of the Borough and the employee is expressing only their personal views. For example: "The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer." The disclaimer shall be placed in a prominent position and repeated for each posting that is

expressing an opinion related to the Borough or the Borough's business, with the exception of postings and social media communications by employees engaging in protected concerted activities. Employees must keep in mind that, if they post information on a social media site that is in violation of Borough policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action. Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Borough employees have the right to engage in or refrain from such activities.

B. Procedure:

(1) Supervisors may have access to desks, offices, file cabinets and lockers to retrieve work-related materials, or to investigate violations of workplace rules. Lockers and desks provided by the Borough are not considered personal space of employees and are subject to inspection from time to time.

(2) Any employee who believes that privacy has been violated should bring the matter to the attention of the supervisor.

(5) Section 27-62, "Procedure concerning personnel matters," of Chapter 27 is amended as follows (strikethroughs represent deletions, underscores represent additions):

A. Discussions by the governing body concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee ~~shall~~ may be held in closed session, ~~with the right of the employee to be present, unless the individual requests, in writing, that the discussion be held in open session. Such request must be granted.~~ Ultimately, the guidance as to notification of employees and the right to have the discussion in executive or the open session should be discussed with and be based upon the guidance and advice of the legal counsel for the public entity and recent court decisions.

~~B. Prior to the discussion by the governing body concerning such matters, the Borough Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session.~~

## SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Clerk of the Borough is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

### **SECTION III**

If any word, phrase, clause, sections, or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

### **SECTION IV**

This Ordinance shall take effect upon publication thereof after final passage according to law.

### **NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on Tuesday, October 9, 2018 at 7:00 p.m. A copy of the ordinance can be obtained, without cost, by any member of the general public at the Office of the Municipal Clerk, 300 Engleside Avenue, Beach Haven, NJ 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on Tuesday, November 13, 2018 at 7:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, New Jersey 08008.

### **CERTIFICATION**

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted on first reading by the Municipal Council of the Borough of Beach Haven at a regular meeting held on the 9<sup>th</sup> day of October, 2018, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 9<sup>th</sup> day of October, 2018.

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Sherry Mason, RMC, CMR, CMC  
Municipal Clerk

***First Reading:***            ***October 9, 2018***  
***Publication:***            ***October 18, 2018***  
***Adoption:***                ***November 13, 2018***  
***Final Publication:***      ***November 22, 2018***  
***Effective:***                ***December 12, 2018***