

ORDINANCE #2025-13C

**AN ORDINANCE AMENDING SECTION 41-6 OF THE
CODE OF THE BOROUGH OF BEACH HAVEN TO
CLARIFY CONSTRUCTION ACTIVITY THAT
REQUIRES A CERTIFICATE OF APPROPRIATENESS
NOTWITHSTANDING SUCH ACTIVITY MAY NOT
REQUIRE A CONSTRUCTION PERMIT**

WHEREAS, on or about March 5, 2018, the Department of Community Affairs changed certain definitions of minor work and ordinary maintenance; and

WHEREAS, the 2018 changes reclassified as ordinary maintenance not requiring a construction permit, inter alia, the repair or replacement of any amount of existing roof covering on detached one- or two- family dwellings (including total replacement), window and door replacement, and the repair or replacement of any amount of existing siding, except the repair or replacement of polypropylene siding; and

WHEREAS, the governing body wished to amend and clarify the Borough Code that such changes, although not requiring a construction permit, still require a Certificate of Appropriateness, pursuant to Chapter 41-6 of the Code of the Borough of Beach Haven.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Beach Haven, as follows:

SECTION I

Chapter 41, "Historic Preservation Advisory Committee," Section 6, "Certificate of appropriateness," Subsection A, "Actions requiring a certificate of appropriateness," shall be supplemented by the addition of Sections 41-6(A)(6) through -6(A)(8), which shall read as follows:

- (6) Repair or replacement of any siding, including but not limited to polypropylene siding.
- (7) Repair or replacement of windows (including garage door windows) and/or doors.
- (8) Repair or replacement (including total replacement) of any amount of the existing roof covering a detached one- or two-family dwelling.

SECTION II

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Borough Clerk 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, section 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.

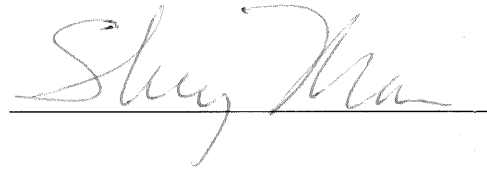
SECTION IV

This Ordinance shall take effect upon publication thereof after final passage according to law and approval by the State of New Jersey.

CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 12th day of May 2025, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 12th day of May 2025.

A handwritten signature in cursive script, appearing to read "Sherry Ma", written over a horizontal line.

Sherry Mason, RMC, Borough Clerk

<i>Introduction:</i>	<i>April 14, 2025</i>
<i>First Publication:</i>	<i>April 24, 2025</i>
<i>Adoption:</i>	<i>May 12, 2025</i>
<i>Second Publication:</i>	<i>May 22, 2025</i>
<i>Effective Date:</i>	<i>June 1, 2025</i>