



Agenda  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
REGULAR MEETING 6:00 PM

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**I. Executive Session - 4:00 p.m.**

2021-279 Resolution Authorizing a meeting which excludes the public

A. Contract Negotiations

1. 1201 Memorial Drive
2. 574 Cookman Avenue and 605-607 Mattison Avenue

B. Attorney-Client Privilege

**II. Workshop Session - 6:00 p.m.**

1. Call to Order/Roll Call
2. Silent Prayer/Moment of Reflection
3. Salute to the Flag
4. Announcement - Open Public Meetings Act

As to comply with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate Notice of this meeting has been provided in the following manner: The Annual Notice was forwarded to the Asbury Park Press, The Coaster and The Star Ledger on January 7, 2021, and posted on the bulletin board the same date. All notices are on file with the City Clerk.

Proclamation

1. Juneteenth 2021
2. Continental Societies, North Jersey Shore Chapter 50th Anniversary
3. Mercy Center Day

Special Events

Items to be Presented:

Matters from City Council  
Matters from City Manager

Matters from City Attorney

**III. Regular Meeting**

A. Public Participation

B. Minutes

- Municipal Council-Executive Meeting May 26, 2021 4:00 PM
- Municipal Council - Regular Meeting - May 26, 2021 6:00 PM

C. Consent Agenda Resolutions

All matters listed on the Consent Agenda are presented collectively to the City Council, and will be considered for approval with one vote. These matters are considered to be routine in nature, and there will be no individual discussion of these items. If discussion is desired by one or more Council member(s) as to any particular item(s), then said item(s) shall be removed from the Consent Agenda and considered separately.

2021-280 Resolution Approving Special Event Applications

2021-281 Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Restaurant V LLC, in the City of Asbury Park, County of Monmouth, New Jersey

2021-282 Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Thirty Property Holdings, LLC-d/b/a/ Convention Hall Concessions ( Beach Bar) in the City of Asbury Park, County of Monmouth, New Jersey

2021-283 Resolution Approving 2021-2022 Alcoholic Beverage Control License for SRI Sarawati, Inc-d/b/a/ Mak on Main Liquors in the City of Asbury Park, County of Monmouth, New Jersey

2021-284 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Akshay Enterprises-d/b/a/ Main Liquors in the City of Asbury Park, County of Monmouth, New Jersey

2021-285 Resolution Approving 2021-2022 Alcoholic Beverage Control License for RBAR AP, LLC in the City of Asbury Park, County of Monmouth, New Jersey

2021-286 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 614 Liquor License, LLC in the City of Asbury Park, County of Monmouth, New Jersey

2021-287 Resolution Approving A Liquor License Renewal With Special Conditions For Steinbach Liquor License, LLC Trading As- Asbury Ale House/ Lola's Cafe/ The Bonney Read Relating To License Number 1303-33-017-012, For The 2021-2022 Licensing Term.

2021-288 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 601-603 Liquor License Partnership, LLC, -d/b/a/ Barrio Costero in the City of Asbury Park, County of Monmouth, New Jersey

- 2021-289 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Georg EE, Inc.-d/b/a/ Georgies in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-290 Resolution Approving 2021-2022 Alcoholic Beverage Control License for House of Independents, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-291 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Cookman Limited Liability Co. , -d/b/a/ Brandos Restaurant in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-292 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Asbury F&B , LLC-d/b/a/ The Berkeley Hotel in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-293 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 1101 Ocean Ave Venture, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-294 Resolution Approving the Renewal of Hotel Liquor License No. 1303-36-069-002, which is held by 210 5th Ave. Venture Urban Renewal, LLC, D/B/A The Asbury Hotel, for the 2020-2021 License Term
- 2021-295 Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Restaurant III , LLC-d/b/a/ The Wonder Bar in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-296 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Stone Pony Liquor License , LLC-d/b/a/ The Stone Pany in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-297 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Cookman Restaurant Group, LLC d/b/a/ Cross & Orange in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-307 Resolution Approving 2021-2022 Liquor License Renewal for 1303-33-013-001 Monmouth Lodge #122, IBPOE
- 2021-308 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Perez Roberto-d/b/a/ Super Extra Liquors in the City of Asbury Park, County of Monmouth, New Jersey

D. Individual Resolutions

- 2021-298 Resolution Approving Payment of Bills
- 2021-299 Resolution Authorizing Brake Repairs to the 2013 Seagrave Tower Ladder at the Fire Department
- 2021-300 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2021 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Click It or Ticket Grant

- 2021-301 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2021 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Senior Center Grant
- 2021-302 Resolution Authorizing a Professional Services Contract to General Code for 2021 Ordinance Codification
- 2021-303 Resolution Authorizing the Annual Renewal of Gunfire Technology with ShotSpotter
- 2021-304 Resolution Authorizing a Professional Services Contract to The Rodger's Group for Police Training
- 2021-305 Resolution Designating Red Bank to Serve as Lead Municipal Agency as Part of The Sustainable Monmouth Alliance Energy Aggregation Program
- 2021-306 Resolution Ratifying the Appointment of Tax Collector for the City of Asbury Park

E. Ordinances

1. Introduction

2021-26 Amendment to the Main Street Redevelopment Plan

2. Second Reading/Public Hearing

- 3. An Ordinance Amending Various Sections of Chapter XXX, Entitled “Land Development Regulations,” of The Code of the City of Asbury Park, New Jersey.
- 4. An Ordinance Amending Various Sections of Chapter XXX, Entitled “Land Development Regulations,” of The Code of the City of Asbury Park, New Jersey and Amending the Official Zoning Map

F. Adjournment

**RESOLUTION NO. 2021-279****RESOLUTION AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

BE IT RESOLVED by the Mayor and Council of the City of Asbury Park that this body will hold a meeting on June 9, 2021 at 6:00 PM in the Council Chambers located at 1 Municipal Plaza, Asbury Park, New Jersey, that will be limited only to consideration of an items or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed are as follows:

A. Contract Negotiations:

1. 1201 Memorial Drive
2. 574 Cookman Avenue and 605-607 Mattison Avenue.

B. Attorney-Client Privilege:

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with section 8 and 4a of the Open Public Meetings Act.

MELODY HARTSGROVE  
CITY CLERK



Minutes  
Meeting of the Municipal Council  
Wednesday, May 26, 2021  
REGULAR MEETING

**Executive Session - 4:00 p.m.**

2021-242 Resolution Authorizing a meeting which excludes the public

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

**Workshop Session - 6:00 p.m.**

| Attendee Name      | Title         | Status | Arrived |
|--------------------|---------------|--------|---------|
| Eileen Chapman     | Councilmember | Remote |         |
| Yvonne Clayton     | Councilmember | Remote |         |
| Jesse Kendle       | Councilmember | Remote |         |
| Amy Quinn          | Deputy Mayor  | Remote |         |
| John Moor          | Mayor         | Remote |         |
| Melody Hartsgrove  | City Clerk    | Remote |         |
| Donna Vieiro       | City Manager  | Remote |         |
| Frederick Raffetto | City Attorney | Remote |         |

City Clerk Melody Hartsgrove called the meeting to order at 6:00 PM.

2. Silent Prayer/Moment of Reflection
3. Salute to the Flag
4. Announcement - Open Public Meetings Act

**Special Event Applications**

Director of Recreation, Leesha Floyd presented Special Events applications to Mayor and Council.

Matters form City Council

Minutes Acceptance: Minutes of May 26, 2021 6:00 PM (Minutes)

Council member Chapman stated, I wanted to let everyone know that the Asbury Park Fire Department Memorial Day service will be held on Monday, May 31<sup>st</sup> at 9:00AM in Fireman's Park on Main Street between 5<sup>th</sup> and Sunset. Hope to see everyone there. Cookman Avenue Live will be a series of acoustic music concerts on the 700 block of Cookman Avenue, Friday evenings from 7:00PM to 9:00PM and Sunday afternoons from 3:00PM to 5:00PM. It will run Memorial Day through Labor Day. I hope everyone has a safe, and healthy and happy Memorial Day weekend.

Council member Clayton stated, I would like to invite you tomorrow night, the Quality of Life and Mayor's Wellness Committee, we're having a safe street summer kickoff. You can have your bicycle serviced. We are giving away helmets and lights. There is going to be a bike safety workshop, and also one for scooters, and there will be health screenings. It will take place in the parking lot of the transportation center. You can enter from Springwood Avenue, it faces Main Street. We are inviting everybody to come out, so I hope we'll see you tomorrow evening between the hours of 6:00PM and 8:00PM.

Council member Kendle stated, first of all I'd like to say that this is my own personal statement and my feelings towards it, and that's wearing a mask. Let me just give a little update of what happened to me over the week. I had this gentleman come over to my house, I offered him a mask, I asked him if he had a shot and he did not have a shot and did not want to take the mask so I asked him to leave. 24 hours after that I get a call saying that this gentleman is in the hospital in critical condition. I'm just concerned about my people in Asbury Park. A lot of people haven't gotten the shot and a lot of people did, but a lot of people are not wearing masks now. I just ask everyone to be careful, it's very important. Just don't trust everyone that you're face to face with. Just be careful. Thank you.

Deputy Mayor Quinn stated, I would like to thank the Asbury Park Public Arts Commission, the Asbury Park Art Council, and Monmouth County Arts for providing us with a couple of grants for the 14 panels existing around the city. 80% of them are done by local artists. I also want to thank the Department of Public Works who put together the panels. And much appreciated, Council woman Eileen Chapman and the City of Asbury Park for getting that project going. It's great. I can't tell you how many people have stopped me over the last few days to talk about what they think of the murals and I just want to thank everybody involved.

Mayor Moor stated, update from the last meeting, there were a couple residents that said 20 years ago the city had 53 police officers. We've researched that, and as I thought they were wrong. 20 years ago the city had 83 police officers. That's all I have because I'm going to leave the good news, as far as the city reopening and the city manager will give us all of those facts now.

#### Matters form City Manager

City Manager, Donna Vieiro stated, as the Mayor mentioned we are going to reopen City Hall and all of our city facilities starting June 1<sup>st</sup>. When you come to visit City Hall, we ask that you still wear a mask when you're inside the building. When you enter the building you will be asked to register with our receptionist who will notify the department that you're looking to visit and

we will notify the department provided there are not that many people at that department, you will be allowed to go to that department to do your business. As I mentioned, we will be requiring people to wear masks in all city facilities, and this will be until that has changed. We ask that you be respectful to our staff and others. For those who are not willing to wear a mask, we can still work with you outside as we have been. Our senior center will also be reopening for the seniors probably in the early part of July. The VNA will be finishing up their vaccination schedule there. We are not stopping vaccinations in the city, there will still be other opportunities for vaccinations that we'll keep everyone apprised of. Also, our library will be opening as well next week. We look forward to welcoming everyone back to City Hall, we just ask that you wear a mask, be patient with us, and be kind to one another.

#### Matters from City Attorney

I wish to let the public know that the City Council's consideration of the Cannabis Opt-Out Ordinance this evening does not mean that the City Council is opposed to cannabis, nor that the Council will not consider allowing cannabis establishments to locate within the City as we move forward. Rather, the Council's potential adoption of the Opt-Out ordinance is simply intended to maintain the "status quo" while the City undertakes a more thorough and detailed review of whether, and to what extent, the City may wish to allow cannabis establishments to locate within the City. This review will involve an analysis of the various classes of cannabis licenses and their suitability in the various Zoning Districts and Redevelopment Areas of the City, along with any potential conditions/restrictions that the City may wish to impose on any of the types of cannabis establishments that the City wishes to allow. This review will take time, and will involve input from the Planning Board, along with City staff members and professionals. City officials have recognized that it would be extremely challenging to undertake a careful review of all these matters and to take formal action (involving both the Council and Planning Board) prior to the deadline set by the new law. Unfortunately, the new law only provides municipalities with 180 days from the approval of the law to take action. The new law was approved on **Feb. 22, 2021**, so the deadline to act is **August 20, 2021**. A municipality's **failure** to enact an Ordinance within that time period will cause the municipality to suffer adverse consequences. As such, City officials have recommended the adoption of the Opt-Out Ordinance for the time being, while the City undertakes the more detailed study that I referenced earlier. The City may then determine at a later date to opt back in, to whatever degree the City deems appropriate, but without the pressure of being under the time constraint set forth in the new law. It should be noted that the N.J. League of Municipalities supports this approach and has prepared a model Opt-Out Ordinance for all N.J. municipalities to consider. The A.P. Ordinance is based on the NJLOM model Ordinance.

#### **PUBLIC PARTICIPATION**

A motion was made by Council member Clayton and seconded by Council member Kendle to open the meeting to the public. All were in favor. The following members of the public spoke: Ernest Mignoli made a comment about Council member Eileen Chapman and the Ansell, Grimm Aaron Law Firm; Peter Siegel made a comment about the Asbury Park reopening and Ernest Mignoli; Sylvia Sylvia made a comment about the Asbury Park reopening, public art, and 94.3 The Point radio station; Michelle Gladden made a comment about public art; Rita Marano made a comment about liquor licenses, keystone purchasing, rent leveling board attorney, and Sunset lake; Hugh Giordano, Jaime Van Sciver, and Marina Rebmman all made comments about the Ordinance regarding Cannabis businesses.

A motion to close the meeting to the public was made by Council member Chapman and seconded by Council member Kendle. All were in favor.

## **MINUTES**

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

1. Municipal Council Executive Meeting May 12, 2021 4:00 PM
2. Municipal Council - Regular Meeting - May 12, 2021 6:00 PM **Accepted**

## **CONSENT AGENDA RESOLUTIONS**

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

- 2021-243 Resolution Approving Special Event Applications
- 2021-244 Resolution to Credit Sewer Account B-3006 L-8 1503 Bond St
- 2021-245 Resolution Approving 2021-2022 Alcoholic Beverage Control License for McLoone's Asbury Park, LLC.-d/b/a/ The Robinson Ale House/Supper Club/Iron Whale Restaurant in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-246 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Raspberry Moon, Inc.-d/b/a/ Moonstruck Restaurant & lounge in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-247 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Asbury Lanes, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-248 Resolution Approving 2021-2022 Alcoholic Beverage Control License for PF, LLC d/b/a/ Garcia Liquors/Tapatia in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-249 Resolution Approving 2021-2022 Alcoholic Beverage Control License for TBD, Inc.-d/b/a/ Taka Restaurant in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-250 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 1411 Kingsley Street, LLC, the City of Asbury Park, County of Monmouth, New Jersey

Minutes Acceptance: Minutes of May 26, 2021 6:00 PM (Minutes)

- 2021-251 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Pettibone Paradise, LLC, d/b/a Empress Hotel/Paradise in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-252 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Pettibone Paradise, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-253 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 934 SHIV, LLC.-d/b/a/ Lush in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-254 Resolution Approving a Liquor License with Special Conditions for D.B. Ventures, LLC d/b/a Johnny Mac's for the 2020-2021 Licensing Year
- 2021-255 Resolution Approving a Liquor License with Special Conditions for Bond Street Bar & Grill, LLC (d/b/a Bond Street Bar and Grill, Capitoline and Loteria) for the 2021-2022 Licensing Year
- 2021-275 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 1211 Main Street, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-276 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Enigma Restaurant in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-277 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Hemmings at Asbury, LLC.-d/b/a/ Pascal & Sabine in the City of Asbury Park, County of Monmouth, New Jersey

### **INDIVIDUAL RESOLUTIONS**

- 2021-278 Resolution to Amend 2021 Calendar Year Budget

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

- 2021-256 Adoption of the 2021 Municipal Budget

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                 |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember                             |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember                           |
| <b>AYES:</b>     | Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn |
| <b>NAYS:</b>     | John Moor                                               |

- 2021-257 Resolution Approving Payment of Bills

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                 |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember                           |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember                             |
| <b>AYES:</b>     | Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn |
| <b>NAYS:</b>     | John Moor                                               |

2021-258 Resolution Authorizing the Repairs of Influent Pump #1 at the Sewer Plant

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-259 Resolution Authorizing the Purchase of Trash and Recycling Cans

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-260 Resolution Approving Change Order #1 for Asbury & Ridge Avenue Traffic Signal Improvements

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-261 Resolution Awarding Contract for Emergency Medical Services Billing

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-262 Appointing the Firm of Marotta & Garvey to Serve as Rent Leveling Board Attorney for the City, and Authorizing the Execution of an Agreement for Professional Services Associated Therewith.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-263 Resolution Authorizing Membership with the Keystone Purchasing Network Cooperative Purchasing Program

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-264 Resolution to Approve Person to Person Liquor License Transfer from DB Ventures, LLC to Johnny Mac House of Spirits, LLC (1303-33-051-009)

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-265 Resolution Rescinding Payments To Wakefern Food Corporation And Approving Funds To Fulfill Foodbank Of Monmouth And Ocean County.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember           |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-266 Resolution Approving Funds to Interfaith Neighbors for Emergency Food Assistance for Residents of Asbury Park

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-267 Resolution Authorizing Grant Funding for Asbury Park Small Businesses through the Community Development Block Grant (CDBG/CV) Cares Act Funds

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-268 Resolution Authorizing a Substantial Amendment to the City's Community Development Block Grant (CDBG) Annual Action Plan Fiscal Year 2021

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-269 Resolution Authorizing the Display of An Organizational Flag (Celebrating LGBTQ Pride Month) On A City Flagpole

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-270 A Resolution of The Mayor And Council of The City Of Asbury Park, Acting As The Redevelopment Entity, Granting Conceptual Approval For A Roof Top Deck To 1401 Ocean Avenue, LLC, as Subsequent Developer; And Referring The Matter To The Planning Board For Appropriate Approvals.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                 |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember                           |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember                             |
| <b>AYES:</b>     | Eileen Chapman, Yvonne Clayton, Jesse Kendle, John Moor |
| <b>NAYS:</b>     | Amy Quinn                                               |

2021-271 A Resolution Supporting Pending Legislation (S-2963) Which Would Authorize the Creation of Local Civilian Review Boards To Review Police Operations and Conduct.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-272 A Resolution Supporting Pending Legislation (S-685) Which Would Permit Municipal, County and Regional Police and Fire Forces to Establish A Five-Year Residency Requirement For Police and Firefighters

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

## ORDINANCES

### Introduction

2021-23 An Ordinance Amending Section 7-27, Entitled “Loading Zones” of Chapter VII, “Traffic,” of the “Code of the City of Asbury Park, New Jersey” to Establish New Loading Zones Along Main Street (SR 71)

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>INTRODUCED [UNANIMOUS]</b>         |
|                  | <b>Next: 6/23/2021 6:00 PM</b>        |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember           |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-24 An Ordinance Amending Section 7-13, Entitled “Parking Prohibited at All Times on Certain Streets” of Chapter VII, “Traffic,” of the “Code of the City of Asbury Park, New Jersey” to Establish New Restrictions Related to Prohibited Parking at All Times on Asbury Avenue and Springwood Avenue

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>INTRODUCED [UNANIMOUS]</b>         |
|                  | <b>Next: 6/23/2021 6:00 PM</b>        |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-25 An Ordinance Prohibiting The Operation of Any Class Of Cannabis Businesses Within The Geographical Boundaries of The City of Asbury Park, and Amending And Supplementing Article VI, Entitled “Zoning,” Of Chapter 30, “Land Development

Regulations,” of The “Code Of The City of Asbury Park,” As Well As Amending And Supplementing All Existing Redevelopment Plans Relating To All Redevelopment Areas of The City of Asbury Park Accordingly.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>INTRODUCED [UNANIMOUS]</b>         |
|                  | <b>Next: 7/14/2021 6:00 PM</b>        |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

### Public Hearing/Second Reading

2021-18 Ordinance of The City of Asbury Park Authorizing the Amendment to Certain Financial Agreements Within the City

A motion to open 2021-18 to the public was made by Council member Kendle and seconded by Deputy Mayor Quinn. All in favor. The following members of the public spoke: Ernest Mignoli and Rita Marano.

A motion to close 2021-18 was made by Deputy Mayor Quinn and seconded by Council member Clayton.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-19 Ordinance of the City of Asbury Park Amending Traffic and Parking Regulations (Chapter VII) Designating Waterfront Parking for Electric or Plug-In Hybrid Vehicles

A motion to open 2021-19 to the public was made by Council member Kendle and seconded by Council member Chapman. All in favor. The following members of the public spoke: Ernest Mignoli, Rita Marano, and Marina Rebmman.

A motion to close 2021-19 was made by Council member Chapman and seconded by Council member Kendle.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-22 An Ordinance Amending Ordinance No. 2021-5, Entitled “An Ordinance Establishing A Rent Leveling Board as Well as Rules That Regulate the Price of Rent and Rate of Rent Increase for Certain Rental Housing Within the City of Asbury Park, And Amending and Supplementing the Code of The City of Asbury Park to Establish A New Chapter 15 Thereof, Which Shall Be Entitled ‘Rent Leveling Regulations.’”

A motion to open 2021-22 to the public was made by Council member Chapman and seconded by Council member Clayton. All in favor. The following members of the public spoke: Ernest Mignoli, Rita Marano, and Felicia Simmons.

A motion to close 2021-22 was made by Council member Chapman and seconded by Council member Kendle.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

### Individual Resolution

2021-273 A Resolution Referring the Proposed Cannabis “Opt Out” Ordinance to The Planning Board Pursuant to The New Jersey Municipal Land Use Law.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | John Moor, Mayor                      |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-274 A Resolution Confirming the Terms of The Regular Members Of The Rent Leveling Board, And Appointing Alternate Members to The Board.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

### ADJOURNMENT

The meeting was adjourned at 7:38 PM

A motion to close the meeting was made by Council member Chapman and seconded by Council member Kendle. All in favor. Meeting was adjourned at 7:38 PM

Respectfully submitted by:

\_\_\_\_\_  
Melody Hartsgrrove, Deputy City Clerk

Minutes Acceptance: Minutes of May 26, 2021 6:00 PM (Minutes)



## RESOLUTION NO. 2021-280

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### RESOLUTION APPROVING SPECIAL EVENT APPLICATIONS

**WHEREAS**, at work session meeting of the Mayor and Council held on June 9, 2021 the following Special Events Applications were presented for approval by the Director of Recreation:

1. AP PAL Recruitment Celebration
2. Music on Cookman
3. Music on Springwood
4. Citywide yard sale
5. Asbury 5K
6. AP Fishing Club- City Date
7. AYF Banquet
8. Weddings: 8/23, 9/12
9. 5<sup>th</sup> Annual Pulse Memorial Benefit for Project Real

**WHEREAS**, the Mayor and Council have determined to approve said applications, so long as all requirements of the City's "Special Events" Ordinance (Section 4-10 of the City Code) have been satisfied by the respective applicants, as well as any other requirements imposed by the City's Police Department and/or Special events Committee.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey, that all the above referenced Special Events Applications are hereby approved, so long as all requirements of the City's "Special Events" Ordinance (Section 4-10 of the City Code) have been satisfied by the respective applicants, as well as any other requirements imposed by the City's Police Department and/or Special events Committee.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-280 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS DAY OF , .

MELODY HARTSGROVE

CITY CLERK



Date Application Received: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

**CITY OF ASBURY PARK****SPECIAL EVENT APPLICATION FORM**

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

**All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.**

Date of Event: June 12, 2021Rain Date: N/ATime of Event: 1200pm to 230pmSetup time: 1100Break-down time: 230pmName of Event: Asbury Park PAL Monmouth-Ocean Summer Program Recruitment CelebrationLocation of Event: Springwood Park

Type of Event (check all that apply):

☐ Festival☐ Parade☐ Foot Race☐ Wedding\*☐ Beach Event☐ Concert☐ Bike Ride/Race☐ Triathlon☐ Multi Day Event☐ Rally/Demonstration☐ Swim Event☒ Other: Food/Games/Music

\*Wedding applicants only need to complete page 6.

Attachment: se apps 69 (2021-280 : Special Event Applications)





## APPLICANT INFORMATION

1. Name of Applicant/Organization: Asbury Park Police Department Community Relations Unit
2. Address of Applicant: 1 Municipal Plaza Asbury Park, NJ 07712
3. Telephone #: (732)502-5705 Cell Phone #: \_\_\_\_\_ E-mail: michael.casey@cityofasburypark.
4. Is your organization non-profit? ☒ If so, please provide Tax ID# \_\_\_\_\_  
*Please attach a copy of your non-profit certificate to the application*
5. Describe in detail the type of event you want to stage: Utilize the stage for a DJ. Grass areas of the park to perform physical activities/games such as football toss, frisbee, life size connect four.  
Registration table setup at main entrance. Children oriented event to attract interested in summer offered by the PAL.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
6. Estimated attendance: 50
7. ☐ YES ☒ NO Will drones be a part of your event?
8. ☒ YES ☐ NO Will there be music or amplified sound associated with your event?  
 If Yes, please explain what type of amplification will be used: DJ with amplified speakers  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (speakers must be pointed towards the ocean, away from residential housing. No amplified music after 10pm.)
9. ☐ YES ☒ NO Will alcohol be served, sold, distributed or consumed at this event?  
 If yes, applicant will need to apply for a social affairs permit or catering permit through the State. This should be done at least 15 business days prior to the event. City of AP off duty police officers will be required to be hired. Please include a detailed site plan of the alcohol service area.
10. ☐ YES ☒ NO Is there an admission charge? If yes, how much? \_\_\_\_\_
11. ☐ YES ☒ NO Is there a vendor charge? If yes, how much? \_\_\_\_\_
12. ☒ YES ☐ NO Has this event been held in the past?  
 If Yes, please answer the following questions:
  - Date of last event? 8/5/2020
  - Location Springwood Park
  - Contact person: Michael Casey
  - Email michael.casey@cityofasburypark.com Phone # (732)502-5705

Attachment: se apps 69 (2021-280 : Special Event Applications)





Date Application Received: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

## CITY OF ASBURY PARK

### SPECIAL EVENT APPLICATION FORM

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

**All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.**

Date of Event: Fridays & Sundays  
7-9 pm 3-5 pm Rain Date: N/A  
Fri 5/28 - 4/5  
 Time of Event: 7-9 pm to 3-5 pm Setup time: 30 min Break-down time: 30 min  
 Location of Event: Coolman Ave Street / 700 Block

Type of Event (check all that apply):

- |                                              |                                      |                                             |
|----------------------------------------------|--------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Festival            | <input type="checkbox"/> Parade      | <input type="checkbox"/> Foot Race          |
| <input type="checkbox"/> Wedding*            | <input type="checkbox"/> Beach Event | <input checked="" type="checkbox"/> Concert |
| <input type="checkbox"/> Bike Ride/Race      | <input type="checkbox"/> Triathlon   | <input type="checkbox"/> Multi Day Event    |
| <input type="checkbox"/> Rally/Demonstration | <input type="checkbox"/> Swim Event  | <input type="checkbox"/> Other: _____       |

\*Wedding applicants only need to complete page 6.

Attachment: se apps 69 (2021-280 : Special Event Applications)





## APPLICANT INFORMATION

1. Name of Applicant/Organization: Asbury Music Foundation
2. Address of Applicant: Lake Ave, Asbury Park
3. Telephone #: \_\_\_\_\_ Cell Phone #: 732 915 5087 E-mail: \_\_\_\_\_
4. Is your organization non-profit? yes If so, please provide Tax ID# on file  
Please attach a copy of your non-profit certificate to the application
5. Describe in detail the type of event you want to stage: \_\_\_\_\_  
acoustic music concerts in front of art wall on 700  
block of Cookman  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Estimated attendance: 25
7. ☐ YES ☒ NO Will drones be a part of your event?
8. ☐ YES ☐ NO Will there be music or amplified sound associated with your event?  
If Yes, please explain what type of amplification will be used: acoustic amp w/ mics  
\_\_\_\_\_  
(speakers must be pointed towards the ocean, away from residential housing. No amplified music after 10pm.)
9. ☐ YES ☒ NO Will alcohol be served, sold, distributed or consumed at this event?  
If yes, applicant will need to apply for a social affairs permit or catering permit through the State. This should be done at least 15 business days prior to the event. City of AP off duty police officers will be required to be hired. Please include a detailed site plan of the alcohol service area.
10. ☐ YES ☒ NO Is there an admission charge? If yes, how much? \_\_\_\_\_
11. ☐ YES ☒ NO Is there a vendor charge? If yes, how much? \_\_\_\_\_
12. ☐ YES ☒ NO Has this event been held in the past?  
  
If Yes, please answer the following questions:
  - Date of last event? \_\_\_\_\_
  - Location \_\_\_\_\_
  - Contact person: \_\_\_\_\_
  - Email \_\_\_\_\_ Phone # \_\_\_\_\_

Attachment: se apps 69 (2021-280 : Special Event Applications)





Date Application Received: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

**CITY OF ASBURY PARK****SPECIAL EVENT APPLICATION FORM**

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

**All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.**

Date of Event: Mondays 6/28 - 8/23 Rain Date: N/A

Time of Event: 6 to 8 Setup time: 2 hrs Break-down time: 2 hrs

Location of Event: Springwood Park

Type of Event (check all that apply):

- |                                              |                                      |                                             |
|----------------------------------------------|--------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Festival            | <input type="checkbox"/> Parade      | <input type="checkbox"/> Foot Race          |
| <input type="checkbox"/> Wedding*            | <input type="checkbox"/> Beach Event | <input checked="" type="checkbox"/> Concert |
| <input type="checkbox"/> Bike Ride/Race      | <input type="checkbox"/> Triathlon   | <input type="checkbox"/> Multi Day Event    |
| <input type="checkbox"/> Rally/Demonstration | <input type="checkbox"/> Swim Event  | <input type="checkbox"/> Other: _____       |

**\*Wedding applicants only need to complete page 6.**

Attachment: se apps 69 (2021-280 : Special Event Applications)





## APPLICANT INFORMATION

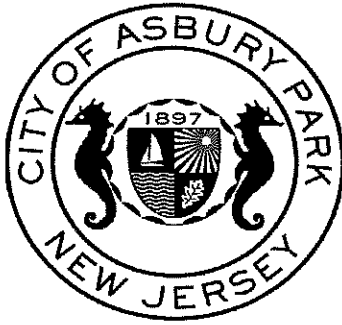
1. Name of Applicant/Organization: Asbury Park Music Foundation
2. Address of Applicant: Lake Ave
3. Telephone #: \_\_\_\_\_ Cell Phone #: 732 915 5089 E-mail: echapman@monmouth...
4. Is your organization non-profit? ☒ If so, please provide Tax ID# \_\_\_\_\_  
Please attach a copy of your non-profit certificate to the application
5. Describe in detail the type of event you want to stage: \_\_\_\_\_  
concerts on the Springwood Park stage  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Estimated attendance: 200
7. ☐ YES ☒ NO Will drones be a part of your event?
8. ☒ YES ☐ NO Will there be music or amplified sound associated with your event?  
If Yes, please explain what type of amplification will be used: professional sound system  
\_\_\_\_\_  
(speakers must be pointed towards the ocean, away from residential housing. No amplified music after 10pm.)
9. ☐ YES ☒ NO Will alcohol be served, sold, distributed or consumed at this event?  
If yes, applicant will need to apply for a social affairs permit or catering permit through the State. This should be done at least 15 business days prior to the event. City of AP off duty police officers will be required to be hired. Please include a detailed site plan of the alcohol service area.
10. ☐ YES ☒ NO Is there an admission charge? If yes, how much? \_\_\_\_\_
11. ☐ YES ☒ NO Is there a vendor charge? If yes, how much? \_\_\_\_\_
12. ☒ YES ☐ NO Has this event been held in the past?

If Yes, please answer the following questions:

- Date of last event? 8/22/2020
- Location Springwood Park
- Contact person: Eileen Chapman
- Email same as above Phone # \_\_\_\_\_

Attachment: se apps 69 (2021-280 : Special Event Applications)





Date Application Received: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

## CITY OF ASBURY PARK

### SPECIAL EVENT APPLICATION FORM

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A refundable \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

**All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.**

Date of Event: July 10, 2021 Rain Date: —

Time of Event: 0900 to 1500 Setup time: — Break-down time: —

Location of Event: Various locations throughout the city

Type of Event (check all that apply):

- |                                              |                                      |                                                             |
|----------------------------------------------|--------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Festival            | <input type="checkbox"/> Parade      | <input type="checkbox"/> Foot Race                          |
| <input type="checkbox"/> Wedding*            | <input type="checkbox"/> Beach Event | <input type="checkbox"/> Concert                            |
| <input type="checkbox"/> Bike Ride/Race      | <input type="checkbox"/> Triathlon   | <input type="checkbox"/> Multi Day Event                    |
| <input type="checkbox"/> Rally/Demonstration | <input type="checkbox"/> Swim Event  | <input checked="" type="checkbox"/> Other: <u>yard sale</u> |

\*Wedding applicants only need to complete page 6.

Attachment: se apps 69 (2021-280 : Special Event Applications)





## APPLICANT INFORMATION

1. Name of Applicant/Organization: Rescue Ridge Inc
2. Address of Applicant: 1700 Riviera Ct Pt Pleasant NJ 0874
3. Telephone #: 732-546-8805 Cell Phone #: 732-814-0030 E-mail: Rescu Ridge Shelter @ g
4. Is your organization non-profit? yes If so, please provide Tax ID# 41-2033984  
Please attach a copy of your non-profit certificate to the application
5. Describe in detail the type of event you want to stage:  
City wide YARD Sale to Benefit  
Local Animal Rescue. The event will  
be held at various site in the city with  
the home owners donating a portion of  
their sales to the rescue.
6. Estimated attendance: 100-1200
7. ☐ YES ☒ NO Will drones be a part of your event?
8. ☐ YES ☒ NO Will there be music or amplified sound associated with your event?  
If Yes, please explain what type of amplification will be used: \_\_\_\_\_  
\_\_\_\_\_  
(speakers must be pointed towards the ocean, away from residential housing. No amplified music after 10pm.)
9. ☐ YES ☒ NO Will alcohol be served, sold, distributed or consumed at this event?  
If yes, applicant will need to apply for a social affairs permit or catering permit through the State. This should be done at least 15 business days prior to the event. City of AP off duty police officers will be required to be hired. Please include a detailed site plan of the alcohol service area.
10. ☐ YES ☒ NO Is there an admission charge? If yes, how much? \_\_\_\_\_
11. ☐ YES ☒ NO Is there a vendor charge? If yes, how much? \_\_\_\_\_
12. ☒ YES ☐ NO Has this event been held in the past?

If Yes, please answer the following questions:

- Date of last event? 2019
- Location various sites
- Contact person: Connie Breach
- Email cawperconnie@aol.com Phone # 732-312-7359





Date Application Received: \_\_\_\_\_

Application Fee Paid: \_\_\_\_\_

## CITY OF ASBURY PARK

### SPECIAL EVENT APPLICATION FORM

Please complete the following information as required by City Ordinance 2021-6 General Licensing: 4-10

All applications and appropriate application fees are to be received by the Asbury Park Special Events Department no less than 30 days prior to the event for which the permit is being requested. Application fees are non-refundable. Applications should be emailed to: [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) (732-502-5759) or mailed to the Department of Special Events 1 Municipal Plaza Asbury Park, NJ 07712 Attn: Leesha Floyd.

- All applications must be reviewed by the Special Events Committee. This may require the organizer/applicant to attend one or more special event meetings.
- Applications must be formally approved by the City Council after initial approval from the Special Events Committee.
- A **refundable** \$500.00 deposit may be required in connection with events held on City property in case of damage.
- A certificate of insurance naming the City of Asbury Park (1 Municipal Plaza Asbury Park, NJ 07712) its officers, employees, contractors, agents and representatives harmless from and against any and all liability. Minimum liability coverage of one million dollars (for some events more coverage will be required) must be provided 10 days prior to event. The applicant name/organization on insurance must match the applicant name/organization completing the application.

**All fees and certificate of insurance must be submitted 10 days prior to the event. Failure to do so can result in the termination of your event.**

Date of Event: Saturday, August 14, 2021

Rain Date: no rain date

Time of Event: 6:30 AM to 10:00 AM

Setup time: 5:30 AM

Break-down time: 11:00 AM

Location of Event: Bradley Park

Type of Event (check all that apply):

- ☐ Festival  
☐ Wedding\*  
☐ Bike Ride/Race  
☐ Rally/Demonstration

- ☐ Parade  
☐ Beach Event  
☐ Triathlon  
☐ Swim Event

- ☐ Foot Race  
☐ Concert  
☐ Multi Day Event  
☒ Other: 5K race + kids run

Attachment: se apps 69 (2021-280 : Special Event Applications)





**\*Wedding applicants only need to complete page 6.**

## APPLICANT INFORMATION

1. Name of Applicant/Organization: The Shore Athletic Club
2. Address of Applicant: 1401 Third Avenue Spring Lake, NJ 07762
3. Telephone #: 732-245-7327 Cell Phone #: 908-672-2453 E-mail: erinoneill1111@gmail.com
4. Is your organization non-profit? Yes If so, please provide Tax ID#: 22-2386529  
*Please attach a copy of your non-profit certificate to the application*
5. Describe in detail the type of event you want to stage: We would like to stage the Asbury Park Sheehan 5K Classic on Saturday, August 14, 2021. Like 2019, we'd like to rent Bradley Park to host pre-event activity. Registration/bib pick up will open at 6:30 AM as the 5K race will be begin at 8:00 AM. We will have a table for awards to give out as the results come in. A kids run is scheduled for 9:00AM on the field. We plan to have the same 5K route ending on the boardwalk on the south end of convention hall. A map will be provided.
6. Estimated attendance: 500 or more as the outdoor restriction number lifts we will increase our participant cap.
7. ☐ YES ☐ NO Will drones be a part of your event?
8. ☐ YES ☐ NO Will there be music or amplified sound associated with your event?  
If Yes, please explain what type of amplification will be used: \_\_\_\_\_  
\_\_\_\_\_  
(speakers must be pointed towards the ocean, away from residential housing. No amplified music after 10pm.)
9. ☐ YES ☐ NO Will alcohol be served, sold, distributed or consumed at this event?  
If yes, applicant will need to apply for a social affairs permit or catering permit through the State. This should be done at least 15 business days prior to the event. City of AP off duty police officers will be required to be hired. Please include a detailed site plan of the alcohol service area.
10. ☐ YES ☐ NO Is there an admission charge? If yes, how much? Kids run - \$10 and the 5K - \$30
11. ☐ YES ☐ NO Is there a vendor charge? If yes, how much? \$250
12. ☐ YES ☐ NO Has this event been held in the past?

If Yes, please answer the following questions:

- Date of last event? Saturday, August 10, 2021
- Location: Bradley Park and the boardwalk
- Contact person: Dawn Wilcox and Erin O'Neill
- Email: dwilcoxlcsw@gmail.com Phone # 908-239-7416

Attachment: se apps 69 (2021-280 : Special Event Applications)



# SPECIAL EVENTS PERMIT APPLICATION



Date Received: \_\_\_\_\_ APP. # \_\_\_\_\_

Please complete the following information as required by city Ordinance No 2016-55 "General Licensing: 4-10.4." All applications are to be received by the Asbury Park Office of Special Events (1 Municipal Plaza Asbury Park, NJ 07712) no less than 45 Days prior to the event for which permit is being requested. **All application fees are non refundable and must be submitted with this application.** Contact Leesha Floyd at 732.502.5759 or [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) for additional information. Fax number is 732.775.1483

NAME OF EVENT: 29th Annual Asbury Park Fishing Club Fishing <sup>SHOW</sup> Flea Market

DATE(S): March 12, 2022 (1pm-3pm for setup) AND Event: March 13, 2022

HOURS OF EVENT: From 6am To: 3pm

**EXACT LOCATION YOU ARE REQUESTING TO STAGE YOUR EVENT:**

Convention Hall

Name of Applicant/Organization: Asbury Park Fishing Club

Address: 1405 Pine Court, Asbury Park, NJ 07712

Contact: Joseph Pallotto Phone: 732 988 0121

Fax: \_\_\_\_\_ Email: mcraddock@verizon.net

Non-Profit? Yes x No    Tax Exempt ID Number: 22-2459408

*If yes, please provide non-profit certificate*

**DESCRIBE IN DETAIL TYPE OF EVENT YOU WILL BE STAGING:**

sale of new and used fishing equipment

*On a separate sheet of paper, please provide a detailed description (footprint) of the proposed event and a sketch that shows the area or route to be used along with any proposed structures, tents, fences, barricades, signs, banners restroom facilities and electrical equipment. **NOTE: sketch should identify the dimensions of exhibit booths, structures, etc.***

OVER

Attachment: se apps 69 (2021-280 : Special Event Applications)

City of Asbury Park Special Events Application

Page Two

WILL APPLICANT REQUIRE A LIQUOR SOCIAL EVENT OR CATERING PERMIT

Yes \_\_\_\_\_ No x If yes, please explain \_\_\_\_\_NUMBER OF PEOPLE ANTICIPATED TO ATTEND: 1000ADMISSION CHARGE? YES x NO \_\_\_\_\_ IF YES, HOW MUCH \$5.00VENDOR CHARGE? YES x NO \_\_\_\_\_ IF YES, HOW MUCH \$45 per tableWILL YOU REQUIRE A STREET CLOSING? YES \_\_\_\_\_ NO x Please Give Details:PROVIDE COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY, TRAFFIC CONTROL, CLEAN UP, SEPARATION OF RECYCLABLE MATERIAL AND DISPOAL OF TRASH AND DEBRIS: club members volunteer for all assignmentsMadison Marquette employees are hired for trash and debrisDESCRIBE ALL CITY RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT: noneNOTE: There will be charges for all city services provided. Refer to the attached fee schedule.

\*All vendors using tents and/or various cooking devices are required to obtain a vendor's permit from the Asbury Park Bureau of Fire Prevention.

\*Asbury Park requires liability insurance. The amount of liability coverage depends upon the size and nature of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park must be named on the insurance policy as an "additional insured." All insurance policies are to be provided to the Special Events Office not less than 10 days prior to the date of the event.

\*All estimated fees and/or costs the City of Asbury Park may incur as a result of the City issuing a special event's permit to stage this event must be paid in advance by certified or cashier's check, not less than 10 business days in advance of the event date.

\*If the event insurance policy and all fees are not submitted to the City 10 days prior to the event, the City reserves the right to cancel the event.

5.9.21



Signature of Applicant

Date

Joseph Pallotto

Print Name of Applicant

For Special Events Office Use:

Total Fees Calculated to be paid by Applicant \$ \_\_\_\_\_ Total Fees Collected \$ \_\_\_\_\_

Attachment: se apps 69 (2021-280 : Special Event Applications)

# SPECIAL EVENTS PERMIT APPLICATION



Date Received: \_\_\_\_\_ APP. # \_\_\_\_\_

Please complete the following information as required by city Ordinance No 2016-55 "General Licensing: 4-10.4." All applications are to be received by the Asbury Park Office of Special Events (1 Municipal Plaza Asbury Park, NJ 07712) no less than 45 Days prior to the event for which permit is being requested. All application fees are non refundable and must be submitted with this application. Contact Leesha Floyd at 732.502.5759 or [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) for additional information. Fax number is 732.775.1483

NAME OF EVENT: Asbury Park AYF & C Banquet

DATE(S): 5/16/21 Rain Date: 5/23/21  
HOURS OF EVENT: From 2pm To: 5pm

EXACT LOCATION YOU ARE REQUESTING TO STAGE YOUR EVENT:

Springwood Ave. Park

Name of Applicant/Organization: Kyle Weedon / Asbury Park AYF & C

Address: 610 Sewall Ave. Apt. 9T Asbury Park, NJ 07712

Contact: Kyle Weedon Phone: 732-546-4010

Fax: \_\_\_\_\_ Email: Asbury Park AYF@gmail.com

Non-Profit? Yes ☒ No \_\_\_\_\_ Tax Exempt ID Number: 31-1484747

If yes, please provide non-profit certificate

DESCRIBE IN DETAIL TYPE OF EVENT YOU WILL BE STAGING: We will be hosting a trophy banquet to honor all players & Cheer leaders from our 2020 Football & Cheer Season

On a separate sheet of paper, please provide a detailed description (footprint) of the proposed event and a sketch that shows the area or route to be used along with any proposed structures, tents, fences, barricades, signs, banners restroom facilities and electrical equipment. NOTE: sketch should identify the dimensions of exhibit booths, structures, etc.

OVER

City of Asbury Park Special Events Application

Page Two

**WILL APPLICANT REQUIRE A LIQUOR SOCIAL EVENT OR CATERING PERMIT**Yes \_\_\_\_\_ No X If yes, please explain \_\_\_\_\_

NUMBER OF PEOPLE ANTICIPATED TO ATTEND: 150  
 ADMISSION CHARGE? YES X NO \_\_\_\_\_ IF YES, HOW MUCH \$10 Per parent  
 VENDOR CHARGE? YES \_\_\_\_\_ NO X IF YES, HOW MUCH \_\_\_\_\_

WILL YOU REQUIRE A STREET CLOSING? YES \_\_\_\_\_ NO X Please Give Details:  
 \_\_\_\_\_  
 \_\_\_\_\_

PROVIDE COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY, TRAFFIC CONTROL, CLEAN UP, SEPARATION OF RECYCLABLE MATERIAL AND DISPOAL OF TRASH AND DEBRIS: Our Board Members and Coaches will act as security, Clean-Up Crew.  
 \_\_\_\_\_  
 \_\_\_\_\_

DESCRIBE ALL CITY RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT: We are looking to use one DPW worker for the length of the event.  
 \_\_\_\_\_  
 \_\_\_\_\_

NOTE: There will be charges for all city services provided. Refer to the attached fee schedule.

\*All vendors using tents and/or various cooking devices are required to obtain a vendor's permit from the Asbury Park Bureau of Fire Prevention.

\*Asbury Park requires liability insurance. The amount of liability coverage depends upon the size and nature of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park must be named on the insurance policy as an "additional insured." All insurance policies are to be provided to the Special Events Office not less than 10 days prior to the date of the event.

\*All estimated fees and/or costs the City of Asbury Park may incur as a result of the City issuing a special event's permit to stage this event must be paid in advance by certified or cashier's check, not less than 10 business days in advance of the event date.

\*If the event insurance policy and all fees are not submitted to the City 10 days prior to the event, the City reserves the right to cancel the event.

Kyle Weedon  
 Signature of Applicant

5-27-21  
 Date

Kyle Weedon  
 Print Name of Applicant

For Special Events Office Use only:

Total Fees Calculated to be paid by Applicant \$ \_\_\_\_\_ Total Fees Collected \$ \_\_\_\_\_

## City of Asbury Park Wedding Application

1 Municipal Plaza Asbury Park, NJ 07712 (732) 502-5759 or (732) 502-5749 Fax (732) 775-1481

Wedding Application Fee: \$100.00 (nonrefundable)

Park/Beach Fee: \$250.00 (nonrefundable)

Checks or money orders should be made payable to the City of Asbury Park

Between Memorial Day and Labor Day weddings can only held no earlier than 6pm on any beach.

Wedding Date: 8/23/21 Ceremony start time: 6:30pm

Setup time: 6:00pm (Breakdown time must be within 2 hours of the conclusion of the ceremony)

Location of Ceremony: 5th Ave. Beach

Names of Couple getting married: Steven Mattison Laura Below

Address: 207 Lindsey Dr. City, State, Zip Code Hackettstown NJ 07840

Day Phone: 973-951-9790 Evening Phone: same

E-mail Address: bigolbug@gmail.com

### Other Pertinent Information

Number in wedding party: 4

Number of people attending wedding ceremony 26

Will any of the following equipment be used:

PA System: yes ☒ no

Chairs: ☒ yes no If yes, how many 30

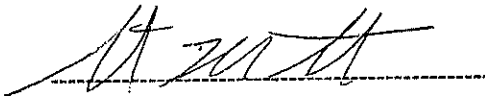
Archway: yes ☒ no

Canopy/tent: yes ☒ no (If larger than 30x30, a fire permit is required)

Other \_\_\_\_\_  
 \_\_\_\_\_

Asbury Park requires minimum liability insurance. The amount of coverage depends upon the size of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park, its agents and employees must be named on the insurance policy as "the additional insured". (If you are a homeowner, some insurance companies allow a one day rider to be added on to your home insurance policy, please check with your individual insurance company. Or a one day insurance policy can be purchased from any insurance company.)

As per City ordinance, alcohol is prohibited on City beaches. Completed applications and payment must be received by the Special Events office at least 45 days prior to wedding date. Insurance policy must be provided to the office 10 days prior to the date of the wedding. I understand and agree by applying for this permit that I am responsible for the conduct of attendees, and that any violation of the rules can result in the cancellation of this event. I also understand that I am responsible for the cleanup of the area in which my event is held. If it becomes necessary for City employees to care for the area, then I am liable for all costs incurred. Lastly I understand that the wedding and park/beach rental fee are non refundable.

  
 Signature of Applicant

4/22/21  
 Date

For Special Events Department Use:

Wedding fee paid:\$ \_\_\_\_\_

Date of payment \_\_\_\_\_

Insurance \_\_\_\_\_

## City of Asbury Park Wedding Application

1 Municipal Plaza Asbury Park, NJ 07712 (732)502-5759 or (732) 502-5749 Fax (732)775-1483

**Wedding Application Fee: \$100.00 (nonrefundable)**

**Park/Beach Fee: \$250.00 (nonrefundable)**

**Checks or money orders should be made payable to the City of Asbury Park**

Between Memorial Day and Labor Day weddings can only held no earlier than 6pm on any beach.

Wedding Date: September 12, 2021 Ceremony start time: 6pm  
10 AM

Setup time: 10 AM (Breakdown time must be within 2 hours of the conclusion of the ceremony)

Location of Ceremony: Beach in front of McGloons Super club

Names of Couple getting married: Joe LATONA & Gregg Radeheffer

Address: 217 Harmon Avenue City, State, Zip Code Garfield, NJ 07026

Day Phone: 913-202-2155 Evening Phone: SAME

E-mail Address: Joe @ TheTable AT LATONAS.COM

### Other Pertinent Information

Number in wedding party: 10

Number of people attending wedding ceremony 55

Will any of the following equipment be used:

PA System: yes ☒ no

Chairs: yes ☒ no If yes, how many         

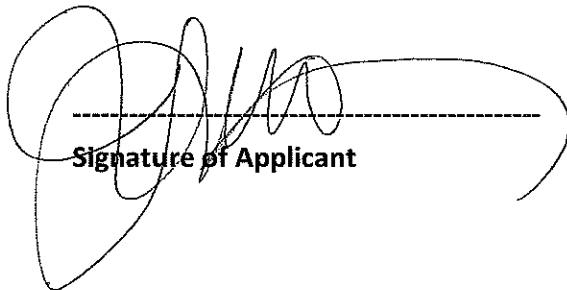
Archway: yes ☒ no

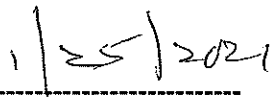
Canopy/tent: yes ☒ no (if larger than 30x30, a fire permit is required)

Other \_\_\_\_\_  
 \_\_\_\_\_

**Asbury Park requires minimum liability insurance. The amount of coverage depends upon the size of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park, its agents and employees must be named on the insurance policy as "the additional insured". (If you are a homeowner, some insurance companies allow a one day rider to be added on to your home insurance policy, please check with your individual insurance company. Or a one day insurance policy can be purchased from any insurance company.)**

As per City ordinance, alcohol is prohibited on City beaches. Completed applications and payment must be received by the Special Events office at least 45 days prior to wedding date. Insurance policy must be provided to the office 10 days prior to the date of the wedding . I understand and agree by applying for this permit that I am responsible for the conduct of attendees, and that any violation of the rules can result in the cancellation of this event. I also understand that I am responsible for the cleanup of the area in which my event is held. If it becomes necessary for City employees to care for the area, then I am liable for all costs incurred. Lastly I understand that the wedding and park/beach rental fee are non refundable.

  
 \_\_\_\_\_  
 Signature of Applicant

  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 \_\_\_\_\_  
**For Special Events Department Use:**

Wedding fee paid:\$ \_\_\_\_\_

Date of payment \_\_\_\_\_

Insurance \_\_\_\_\_

Attachment: se apps 69 (2021-280 : Special Event Applications)



# SPECIAL EVENTS PERMIT APPLICATION

Date Received: \_\_\_\_\_ APP. # \_\_\_\_\_

*Please complete the following information as required by city Ordinance No 2016-55 "General Licensing: 4-10.4." All applications are to be received by the Asbury Park Office of Special Events (1 Municipal Plaza Asbury Park, NJ 07712) no less than 45 Days prior to the event for which permit is being requested. **All application fees are non refundable and must be submitted with this application.** Contact Leesha Floyd at 732.502.5759 or [Leesha.floyd@cityofasburypark.com](mailto:Leesha.floyd@cityofasburypark.com) for additional information. Fax number is 732.775.1483*

NAME OF EVENT: 5<sup>th</sup> Annual Pulse Memorial Benefit for Project REAL

DATE(S): June 13, 2021 Rain Date: N/A  
HOURS OF EVENT: From noon To: 7pm

**EXACT LOCATION YOU ARE REQUESTING TO STAGE YOUR EVENT:**  
**VNA Parking Lot 1301 Main Street**

Name of Applicant/Organization: Visiting Nurse Association of Central Jersey/PRN  
Address: 816 Sunset Ave Asbury Park  
Contact: Shannon Preston Phone: 732 272-3758  
Fax: \_\_\_\_\_ Email: Shannon.Preston@vnahg.org  
Non-Profit? Yes X No \_\_\_\_\_ Tax Exempt ID Number: 210-639-369/000  
*If yes, please provide non-profit certificate*

**DESCRIBE IN DETAIL TYPE OF EVENT YOU WILL BE STAGING: A self-contained outdoor event that will include live music. Drag performances, HIV/STD/COVID testing, COVID vaccinations, community group information tables, facemask and hand sanitizer distribution, art/craft tables, sexual health information**

*On a separate sheet of paper, please provide a detailed description (footprint) of the proposed event and a sketch that shows the area or route to be used along with any proposed structures, tents, fences, barricades, signs, banners restroom facilities and electrical equipment. **NOTE: sketch should identify the dimensions of exhibit booths, structures, etc.***

Attachment: pulse memorial benefit (2021-280 : Special Event Applications)

OVER

Packet Pg. 46

City of Asbury Park Special Events Application

Page Two

WILL APPLICANT REQUIRE A LIQUOR SOCIAL EVENT OR CATERING PERMIT

Yes \_\_\_\_\_ No X If yes, please explain \_\_\_\_\_NUMBER OF PEOPLE ANTICIPATED TO ATTEND: 50-150 staggered throughout the dayADMISSION CHARGE? YES X NO \_\_\_\_\_ IF YES, HOW MUCH \$10 suggested donationVENDOR CHARGE? YES \_\_\_\_\_ NO x IF YES, HOW MUCH \_\_\_\_\_WILL YOU REQUIRE A STREET CLOSING? YES \_\_\_\_\_ NO x Please Give Details: \_\_\_\_\_

PROVIDE COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY, TRAFFIC CONTROL, CLEAN UP, SEPARATION OF RECYCLABLE MATERIAL AND DISPOAL OF TRASH AND DEBRIS: Volunteers will provide security, set up and break down. All trash will be disposed of in VNA dumpster

DESCRIBE ALL CITY RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT: none

NOTE: There will be charges for all city services provided. Refer to the attached fee schedule.

\*All vendors using tents and/or various cooking devices are required to obtain a vendor's permit from the Asbury Park Bureau of Fire Prevention.

\*Asbury Park requires liability insurance. The amount of liability coverage depends upon the size and nature of the event planned. The minimum liability coverage is one million dollars. The City of Asbury Park must be named on the insurance policy as an "additional insured." All insurance policies are to be provided to the Special Events Office not less than 10 days prior to the date of the event.

\*All estimated fees and/or costs the City of Asbury Park may incur as a result of the City issuing a special event's permit to stage this event must be paid in advance by certified or cashier's check, not less than 10 business days in advance of the event date.

\*If the event insurance policy and all fees are not submitted to the City 10 days prior to the event, the City reserves the right to cancel the event.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Applicant

Attachment: pulse memorial benefit (2021-280 : Special Event Applications)



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-281**

AP Restaurant V, LLC Renewal for 2021-2022



## RESOLUTION NO. 2021-281

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR AP RESTAURANT V LLC, IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-044-016 AP Restaurant V, LLC; and

**WHEREAS**, AP Restaurant V, LLC has been inactive since September 11, 2019; and

**WHEREAS**, the Chief of Police has reviewed said applications and recommends renewal without reservation; and

**WHEREAS**, the application appears to be in proper form, subject to review and approval by the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

1303-33-044-016 AP Restaurant V, LLC (Pocket License)

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-281 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-282**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Thirty Property Holdings, LLC, Inc.-d/b/a/ Convention Hall Concessions ( Beach Bar )t in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-282

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR AP THIRTY PROPERTY HOLDINGS, LLC-D/B/A/ CONVENTION HALL CONCESSIONS ( BEACH BAR) IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-047-010- AP Thirty Property Holdings LLC, d/b/a Convention Hall Concessions (The Beach Bar); and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

1303-33-047-010 TBD, Inc.-AP Thirty Property Holdings, LLC- 1100 Ocean Avenue, Asbury Park, NJ

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-282 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-283**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for Sarawati, Inc.,-d/b/a/  
Mak on Main Liquors in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-283

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR SRI SARAWATI, INC-D/B/A/ MAK ON MAIN LIQUORS IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-44-039-007, SRI Sarawati, Inc, d/b/a Mak on Main Liquors; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following special conditions:

1. The security and bar staff shall clean sidewalks and curbs adjacent to the property nightly after club nights and in the morning following club nights.
2. The establishment must adhere to the Property Maintenance Code, Chapter XIII of the City Code

1303-44-039-007, SRI Sarawati, Inc. -d/b/a Main Liquors, 1506 Main Street, Asbury Park, NJ

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of

RESOLUTION NO. 2021-283 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-284**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for Akshay Enterprises,-  
d/b/a/ Main Liquors in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-284

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR AKSHAY ENTERPRISES-D/B/A/ MAIN LIQUORS IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-32-010-008, Akshay Enterprises. d/b/a Main Liquors; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following special conditions:

1. The Applicant accepts the renewal of the license on condition that they will not sell for consumption on the licensed premises any alcoholic beverages by the glass or other open receptacle and will only sell alcoholic beverages in original containers for consumption off the licensed premises.
2. This condition is to apply to said premises as long as said premises shall be licensed for sale of alcoholic beverages.
3. All transfer or renewals of said license for said premises shall be subject to the same conditions.

1303-32-010-008, Akshay Enterprises. -d/b/a Main Liquors, 1002 Main Street, Asbury Park, NJ

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-284 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 9th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-285**

RBAR AP 2021-2022 Liquor License Renewal for the 2021-2022 term.



## RESOLUTION NO. 2021-285

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR RBAR AP, LLC IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-029-008 RBAR AP, LLC;  
and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the application appears to be in proper form, has paid renewal fees to City of Asbury Park and the Division of ABC and subject to review and approval by the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

**1303-33-029-008- RBAR AP, LLC- 114 Main Street, Asbury Park, NJ**

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-285 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-286**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for 614 Liquor License, LLC in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-286

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR 614 LIQUOR LICENSE, LLC IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 614 Liquor License LLC; and

**WHEREAS**, the 614 Liquor License, LLC has been inactive since July 1, 2018; and

**WHEREAS**, the license holder has applied and has approval for a special ruling from the Director for the 2021-2022 license term. (Job#448365)

**WHEREAS**, the Chief of Police has reviewed said applications and recommends renewal without reservation; and

**WHEREAS**, the application appears to be in proper form, subject to review and approval by the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

1303-33-058-012 614 Liquor License, LLC (Pocket License)

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-286 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-287**

Asbury Ale House Liquor License Renewal For 2021-2022 Term.



## RESOLUTION NO. 2021-287

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING A LIQUOR LICENSE RENEWAL WITH SPECIAL CONDITIONS FOR STEINBACH LIQUOR LICENSE, LLC TRADING AS- ASBURY ALE HOUSE/ LOLA'S CAFE/ THE BONNEY READ RELATING TO LICENSE NUMBER 1303-33-017-012, FOR THE 2021-2022 LICENSING TERM.**

**WHEREAS**, Steinbach Liquor Lic. LLC, trading as Asbury Ale House (also referenced as the “Licensee”), is the holder of a liquor license bearing license number **1303-33-017-012** (also referenced as the “License”) for premises located at 541 Cookman Avenue (also referenced as the “licensed premises”); and

**WHEREAS**, the Licensee has applied for renewal of the License for the 2021-2022 licensing term (covering the period from July 1, 2021 to June 30, 2022); and

**WHEREAS**, Police Chief Kelso has recommended that the License be renewed for the 2021-2022 licensing term with the existing special conditions maintained.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park (the “City”), in the County of Monmouth and State of New Jersey, as follows:

1. That liquor license number **1303-33-017-012**, as issued to the Licensee for premises located at 541 Cookman Avenue, is hereby renewed for the 2021-2022 licensing term, subject to the special conditions referenced below.
2. That the following existing special conditions shall continue to apply to the License for the 2020-2021 licensing term:
  - (a) At least seventy-five percent (75%) of the floor space of the licensed premises shall be dedicated to food service; and
  - (b) The security and bar staff of the licensed premises shall clean sidewalks and curbs adjacent to the licensed premises nightly after club nights and in the morning following club nights. The Licensee must adhere to the City’s Property Maintenance Code (Chapter XIII of the City Code).
3. That the following existing special condition(s) shall also apply to the License for the

2021-2022 licensing term:

- (a) The Licensee shall hire two (2) off-duty Asbury Park Police Officers on Friday evenings and Saturday evenings, who shall work from 10:30 p.m. through 2:30 a.m., in order to assist with crowd management and control and the orderly running of the licensed premises. The Chief of Police shall have the discretion to relax this condition from time to time as needed after consultation with, and approval of, the Mayor and Council and City Manager.

4. That a certified copy of this Resolution shall be provided to each of the following:

- (a) State of New Jersey Division of Alcoholic Beverage Control;
- (b) Steinbach Liquor Lic. LLC, trading as Asbury Ale House;
- (c) Police Chief David Kelso;
- (d) Donna M. Vieiro, City Manager; and
- (e) Frederick C. Raffetto, Esq., City Attorney

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-287 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-288**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for Barrio Costero Restaurant in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-288

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR 601-603 LIQUOR LICENSE PARTNERSHIP, LLC, -D/B/A/ BARRIO COSTERO IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-32-060-016, 601-603 Liquor License Partnership, LLC. d/b/a Barrio Costero; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**WHEREAS**, the following existing special conditions will remain in place;

\*Special Condition: 1. The premises for which this license is issued shall continue to be operated as a bona fide Hotel or Motel of One Hundred (100) rooms or more and any transfers or renewals of said license shall be subject to the same condition.

**1303-32-060-016      601-603 Liquor License Partnership, LLC d/b/a Barrio Costero, 601-603 Mattison Avenue, Asbury Park, NJ 07712**

\*Special Condition: 75% of the floor space must be for food service. \*

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following existing special conditions:

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-288 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-289**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for Georgee's in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-289

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR GEORG EE, INC.-D/B/A/ GEORGIES IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-048-009 d/b/a Georgee's; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**WHEREAS**, the following existing special conditions will remain in place;

**1303-33-048-009      George-EE, Inc.      801-812 Fifth Ave.      Georgee's**

1. The security and bar staff shall clean sidewalks and curbs adjacent to the property nightly after club nights and in the morning following club nights.
2. The establishment must adhere to the Property Maintenance Code, Chapter XIII of the City Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following existing special conditions:

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of

RESOLUTION NO. 2021-289 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-290**

House of Independents 2021-2022 Liquor License Renewal for the 2021-2022 term.



## RESOLUTION NO. 2021-290

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR HOUSE OF INDEPENDENTS, LLC IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-054-009 House of Independents, LLC; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the application appears to be in proper form, has paid renewal fees to City of Asbury Park and the Division of ABC and subject to review and approval by the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

**1303-33-054-009- House of Independents, LLC- 550-572 Cookman Ave, Asbury Park, NJ**

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-290 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-291**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for Brandos Restaurant in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-291

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR COOKMAN LIMITED LIABILITY CO. , -D/B/A/ BRANDOS RESTAURANT IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-006-009, Cookman Limited Liability Co. d/b/a Brandos Restaurant; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**WHEREAS**, the following existing special conditions will remain in place;

\*Special Condition: 1. The premises for which this license is issued shall continue to be operated as a bona fide Hotel or Motel of One Hundred (100) rooms or more and any transfers or renewals of said license shall be subject to the same condition.

**1303-33-006-009      Cookman, LLC      162-166 Main Street      \*Brando's**

\*Special Condition: 75% of the floor space must be for food service.\*

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following existing special conditions:

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-291 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-292**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for The Berkeley Hotel in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-292

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR ASBURY F&B , LLC-D/B/A/ THE BERKELEY HOTEL IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-36-066-003, Asbury F&B, LLC d/b/a The Berkeley Hotel; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**WHEREAS**, the following existing special conditions will remain in place;

**1303-36-066-003      Asbury F&B, LLC      1401 Ocean Ave.      \*The Berkeley Hotel**

\*Special Condition: 1. The premises for which this license is issued shall continue to be operated as a bona fide Hotel or Motel of One Hundred (100) rooms or more and any transfers or renewals of said license shall be subject to the same condition.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following existing special conditions:

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-292 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-293**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for 1101 Ocean Ave Venture, LLC in the City of Asbury Park, County of Monmouth, New Jersey. Asbury Ocean Club Hotel



## RESOLUTION NO. 2021-293

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR 1101 OCEAN AVE VENTURE, LLC IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-008-011- LLC 1101 Ocean Ave Venture LLC; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

1303-33-008-011 1101 Ocean Ave Venture, LLC- Asbury Ocean Club Hotel 1100 Ocean Avenue, Asbury Park, NJ.

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-293 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-294**



## RESOLUTION NO. 2021-294

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING THE RENEWAL OF HOTEL LIQUOR LICENSE NO. 1303-36-069-002, WHICH IS HELD BY 210 5TH AVE. VENTURE URBAN RENEWAL, LLC, D/B/A THE ASBURY HOTEL, FOR THE 2020-2021 LICENSE TERM**

**WHEREAS**, 210 5th Ave. Venture Urban Renewal LLC (with its member Si Op Co AP LLC) (the “**Licensee**”) is the holder of license number 1303-36-069-002 which is a hotel exception license for a facility containing 100 or more sleeping rooms pursuant to N.J.S.A. 13:1-12.20 (the “**License**”); and

**WHEREAS**, the licensed premises presently consist of the hotel, known as The Asbury, located at 210 Fifth Avenue, Block 4104, Lot 13, and, the entertainment venue commonly known as Asbury Lanes which is on a portion of the adjoining property being 209 Fourth Avenue, Block 4104, Lot 9, and which is connected to the hotel structure by an enclosed passageway (the “**Licensed Premises**”); and

**WHEREAS**, the Licensee has filed an application for a License renewal for the 2021-2022 Licensing Term, submitted the requisite application fees, received tax clearance, and the Asbury Park Police Department has undertaken its review and issued its report dated May 5, 2021; and

**WHEREAS**, the City Council reviewed the application and the Police Department’s report at its May 5 2021, and no written objections pursuant to N.J.A.C. 13:2-2.7 were received;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey, acting as the local alcoholic beverage control board, approves the License renewal for the 2021-2022 Licensing Term, subject to all of the following, existing special conditions:

1. The Licensed Premises shall only be:
  - (a) the entire interior of the structure known as The Asbury, located at 210 Fifth Avenue, Block 4104, Lot 13, and certain outdoor areas, generally described as:
    - (i) the outdoor pool area on the ground floor;
    - (ii) the outdoor wooden deck on the ground floor;

- (iii) the outdoor rooftop deck on fifth floor known as “Baronet”;
- (iv) the eighth floor rooftop known as “Salvation”; and
- (v) a portion of the enclosed passageway to Asbury Lanes structure,

and as further depicted on the plans attached hereto as **Exhibit A** (the “Hotel”); and

- (b) the interior of the structure known as the Asbury Lanes at 209 Fourth Avenue, Block 4104, Lot 9, and the remainder of the enclosed passageway to the Hotel, as further depicted on the plans attached hereto as **Exhibit A** (the “Asbury Lanes”)

collectively, the “**Licensed Premises**”.

2. The operation of the Asbury Lanes portion of the Licensed Premises shall be subject to the following special conditions:

- (a) The operation of the Asbury Lanes shall be in conformance with the Asbury Park Code provisions applicable to non-hotel plenary retail consumption licenses, including but not limited to, the hours of operation contained in Code Section 6-4, et seq.
- (b) At all times when the Asbury Lanes is not serving alcoholic beverages, specifically including when closed pursuant to Code Section 6-4, et seq., the enclosed passageway shall be closed off in a manner to prevent access from the Hotel to Asbury Lanes.
- (c) At all times when the Asbury Lanes is not permitted by ordinance to be serving alcoholic beverages, specifically including when closed pursuant to Code Section 6-4, et seq., the food service portion of the Asbury Lanes known as, and depicted as, the “Diner” area on the plans attached hereto as **Exhibit B**, which is generally located in the southeast corner of the building, may continue to operate for the service of food and non-alcoholic beverages, as permitted by Asbury Park Code Section 6-4.2. During such operations there shall be no access to the remainder of the Asbury Lanes (depicted as the “Performance Venue” on the plans attached hereto as **Exhibit B**) and all access shall be through a separate exterior entrance directly into the Diner area, except for handicapped access which shall be by the routes depicted on **Exhibit B**.
- (d) The Licensee shall at all times maintain a leasehold or fee simple or similar property interest in 209 Fourth Avenue, Block 4104, Lot 9 sufficient to encompass the Asbury Lanes portion of the Licensed Premises.
- (e) The security and bar staff shall clean sidewalks and curbs adjacent to the property nightly after club nights and in the morning following club nights.
- (f) The establishment must adhere to the Property Maintenance Code, Chapter XIII of the City Code.

3. The operation of the Hotel portion of the Licensed Premises shall be subject to the following special conditions:

- (a) The Licensee has installed, and will be required to maintain, one (1) decibel reader at the DJ booth in Salvation and one (1) decibel reader at the DJ booth at the pool so that entertainers and/or staff members of the hotel may monitor the decibel level of outdoor music in a good faith effort to comply with the City's Noise Ordinance (Section 3-9 of the Asbury Park City Code). An additional decibel reader shall be installed at the DJ booth at each and every additional outdoor location(s) at the hotel where outdoor music is played.
- (b) The Licensee shall have its management work with the Asbury Park Police Department for its assistance regarding education in decibel level management and noise reduction. The Licensee agrees to meet with the Asbury Park Police Department, as deemed necessary by the Asbury Park Police Department.
- (c) The Licensee shall implement The Asbury Hotel Sound Mitigation Program Remedial Measures plan prepared by Robert A. Hansen Associates Inc. dated June 29, 2017, as may be refined, which includes the removal of certain speakers and the installation of smaller, overhead, downward facing speakers in Salvation ("Remedial Measures"). The Licensee shall provide an installation schedule to the City Manager and the Asbury Park Police Department and shall provide periodic updates concerning the installation schedule until the Remedial Measures have been completely installed.
- (d) The Licensee met with the Esplanade Home Owners Association to discuss sound mitigation. If deemed necessary by the Asbury Park Police Department and communicated in writing to the Licensee, the Licensee shall arrange for additional meetings with the Esplanade Home Owners Association or any other resident living within two hundred (200) feet of the Licensed Premises that contacts the Asbury Park Police Department to request a meeting with the Licensee to discuss sound mitigation.
- (e) The security and bar staff shall clean sidewalks and curbs adjacent to the property nightly after club nights and in the morning following club nights.
- (f) The establishment must adhere to the Property Maintenance Code, Chapter XIII of the City Code.

4. This License shall be subject to the special condition that it is issued as a hotel exception license for a facility containing 100 or more sleeping rooms pursuant to N.J.S.A. 13:1-12.20 and that the License shall only be used in connection with such a hotel or motel and amenities related to the hotel or motel.

5. This Resolution shall take effect immediately.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-294 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-295**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for The Wonder Bar in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-295

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR AP RESTAURANT III, LLC-D/B/A/ THE WONDER BAR IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-059-010, AP Restaurant III, LLC d/b/a The Wonder bar; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**WHEREAS**, the following existing special conditions will remain in place;

**1303-33-059-010      AP Restaurant III      1213 Ocean Ave.      \*The Wonder Bar**

\*Special Condition: The outside licensed area on the south side of the premise shall be as follows: 75' in the southerly direction from the southeast corner of the premises; thence westerly 83'; thence northerly 75' to the wall of the premises. Said outside licensed area shall be fenced in.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following existing special conditions:

1303-33-059-010, AP Restaurant III, LLC d/b/a The Wonder Bar, 1100 Ocean Ave. Asbury Park, NJ

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-295 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-296**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for The Stone Pony in the City of Asbury Park, County of Monmouth, New Jersey



## RESOLUTION NO. 2021-296

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR STONE PONY LIQUOR LICENSE , LLC-D/B/A/ THE STONE PANY IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-027-010, Stone Pony Liquor License, LLC d/b/a The Stone Pony; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed with the following existing special conditions:

**1303-33-027-010      Stone Pony Liquor License, LLC    901, 909, 913 Ocean Ave.    \*The Stone Pony**

#### Existing Special Conditions

1. One bonded licensed security agent shall be forthwith employed by the Licensee who shall be responsible for the control of the area in front of and alongside of the licensed premises on Fridays and Saturdays and the eve of Holidays including Sundays from 8:00 p.m. until closing time on those weekends immediately preceding the last Monday in the Month of May through and including the weekend immediately preceding the first Monday in the month of September.
2. The security and bar staff shall clean sidewalks and curbs adjacent to the property nightly after club nights and in the morning following club nights.

3. The establishment must adhere to the Property Maintenance Code, Chapter XIII of the City Code.
4. An additional bonded licensed security agent(s) shall be employed by the Licensee on those evenings and at those times deemed appropriate by the Police Chief after consultation with said Police Chief by the Licensee with respect to any concert/event scheduled to be held at the licensed premises throughout the year.

1303-33-027-010, Stone Pony Liquor License, LLC 901-909 Ocean Ave. Asbury Park, NJ

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-296 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-297**

Cross & Orange Restaurant 2021-2022 Liquor License Renewal for the 2021-2022 term.



## RESOLUTION NO. 2021-297

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR COOKMAN RESTAURANT GROUP, LLC D/B/A/ CROSS & ORANGE IN THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-33-014-005 Cookman Restaurant Group, LLC d/b/a/ Cross & Orange;  
and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the application appears to be in proper form, has paid renewal fees to City of Asbury Park and the Division of ABC and subject to review and approval by the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park in the County of Monmouth and State of New Jersey, that the following Alcoholic Beverage License in the City of Asbury Park for the period from July 1, 2021 until June 30, 2022, is hereby renewed:

**1303-33-014-005- Cookman Restaurant Group, LLC-d/b/a - Cross & Orange 508  
Cookman Ave, Asbury Park, NJ**

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-297 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-307**

**RESOLUTION NO. 2021-307**

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

**RESOLUTION APPROVING 2021-2022 LIQUOR LICENSE RENEWAL FOR 1303-33-013-001 MONMOUTH LODGE #122, IBPOE**

**BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park that the Alcoholic Beverage License for the period of July 1, 2021 to June 30, 2022 be granted to license 1303-33-013-001, Monmouth Lodge #122, IBPOE located at 1101 Asbury Ave. a/k/a Monmouth Lodge.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-307 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 9th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-308**

Resolution Approving 2021-2022 Alcoholic Beverage Control License for Super Extra Liquors  
in the City of Asbury Park, County of Monmouth, New Jersey



**RESOLUTION NO. 2021-308**

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

**RESOLUTION APPROVING 2021-2022 ALCOHOLIC BEVERAGE CONTROL  
LICENSE FOR PEREZ ROBERTO-D/B/A/ SUPER EXTRA LIQUORS IN THE CITY  
OF ASBURY PARK, COUNTY OF MONMOUTH, NEW JERSEY**

**WHEREAS**, an application has heretofore been filed with the City Clerk to renew Alcoholic Beverage License control license 1303-44-022-004, Perez Roberto d/b/a Super Extra Liquors; and

**WHEREAS**, the Chief of Police has reviewed said application and recommends renewal without reservation; and

**WHEREAS**, the following applicant is in compliance with the Division of Taxation and has paid renewal fees to the City of Asbury Park and the Division of Alcoholic Beverage Control.

**WHEREAS**, the following existing special conditions will remain in place;

**1303-44-022-004      Robert Perez      1005 Memorial Dr.      \*Super-Extra Liquors**

\*Special Conditions: 1. Temporary signs be installed outside the premises to remind patrons not to loiter and to respect neighbors by controlling noise and smoking and promoting the responsible consumption of alcoholic beverages. Liquor store manager or designee must clear the front of the store of all person(s) hanging out, panhandling, drinking in public, etc.

**BE IT FURTHER RESOLVED** that the City Clerk shall sign and deliver each license to the licensee designated.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-308 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-298**

Vouchers payable have been approved by the Chief Financial Officer.



## RESOLUTION NO. 2021-298

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### RESOLUTION APPROVING PAYMENT OF BILLS

**WHEREAS**, the following listed vouchers payable have been approved by the Chief Financial Officer and have subsequently been audited and found correct:

**BE IT RESOLVED**, that these vouchers payable totaling \$2,430,138.49

**BE IT FURTHER RESOLVED**, that proper officers are hereby authorized to execute and issue warrants for payment of said vouchers, but only if and when the conditions of the City Treasury shall permit.

|                    |                            |
|--------------------|----------------------------|
| CURRENT VOUCHERS   | \$ 1,563,518.49            |
| BOARD OF EDUCATION | <u>866,620.00</u>          |
| <br>TOTAL VOUCHERS | <br>\$ <u>2,430,138.49</u> |

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-298 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS DAY OF , .

MELODY HARTSGROVE  
CITY CLERK

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a  
Page 103

P.O. Type: All      Print Alpha, Revenue, & G/L Accounts: Y      Open: N    Void: N    Paid: N  
Format: Condensed      Held: N    Aprv: N    Rcvd: N  
Range: 0-First      to 1-Last      Bid: Y    State: Y    Other: Y    Exempt: N  
Rcvd Batch Id Range: First    to Last      Encumbrance Date Range: First    to 12/31/21    Include Non-Budgeted: N  
Department Page Break: No      Subtotal CAFR: Yes      Subtotal Department: Yes      Subtotal Extd: Yes

| Budget Account                   | Description                            | P.O. Id  | P.O. Description               | Amount   | Void Amount | PO Type |
|----------------------------------|----------------------------------------|----------|--------------------------------|----------|-------------|---------|
| Fund: CURRENT                    |                                        |          |                                |          |             |         |
| Department: ADMINISTRATION       |                                        |          |                                |          |             |         |
| Extd: ADMINISTRATION             |                                        |          |                                |          |             |         |
| 0-01-20-100-000-201              | ADMINISTRATION General Plant           |          |                                |          |             |         |
| TMASSO                           | T & M ASSOCIATES                       | 20-03159 | SURVEYING SERVICES AT 200      | 269.50   | 0.00        | B       |
| 0-01-20-100-000-209              | ADMINISTRATION Fees                    |          |                                |          |             |         |
| ACAFGI                           | ACACIA FINANCIAL GROUP, INC.           | 21-01551 | FAS Affordable Housing         | 1,248.75 | 0.00        |         |
|                                  | Extd Total: ADMINISTRATION             |          |                                | 1,518.25 |             |         |
|                                  | Department Total: ADMINISTRATION       |          |                                | 1,518.25 |             |         |
| Department: FINANCE              |                                        |          |                                |          |             |         |
| Extd: FINANCIAL ADMINISTRATION   |                                        |          |                                |          |             |         |
| 0-01-20-130-000-204              | FINANCE Outside Services               |          |                                |          |             |         |
| ACAFGI                           | ACACIA FINANCIAL GROUP, INC.           | 21-01552 | RAB Funds                      | 185.00   | 0.00        |         |
|                                  | Extd Total: FINANCIAL ADMINISTRATION   |          |                                | 185.00   |             |         |
|                                  | Department Total: FINANCE              |          |                                | 185.00   |             |         |
| Department: ENGINEER SERV        |                                        |          |                                |          |             |         |
| Extd: ENGINEERING SERVICES       |                                        |          |                                |          |             |         |
| 0-01-20-165-000-209              | ENGINEERING SERVICES Fees              |          |                                |          |             |         |
| TMASSO                           | T & M ASSOCIATES                       | 20-02889 | WESLEY LAKE BRIDGE EVALUATIONS | 5,164.35 | 0.00        | B       |
|                                  | Extd Total: ENGINEERING SERVICES       |          |                                | 5,164.35 |             |         |
|                                  | Department Total: ENGINEER SERV        |          |                                | 5,164.35 |             |         |
|                                  | CAFR Total:                            |          |                                | 6,867.60 |             |         |
| Department: ZONING BOARD         |                                        |          |                                |          |             |         |
| Extd: ZONING BOARD OF ADJUSTMENT |                                        |          |                                |          |             |         |
| 0-01-21-185-000-209              | ZONING BOARD Fees                      |          |                                |          |             |         |
| JACSER                           | JACK A. SERPICO                        | 21-01455 | Serpico invoices Apr 2021      | 625.00   | 0.00        |         |
|                                  | Extd Total: ZONING BOARD OF ADJUSTMENT |          |                                | 625.00   |             |         |
|                                  | Department Total: ZONING BOARD         |          |                                | 625.00   |             |         |
|                                  | CAFR Total:                            |          |                                | 625.00   |             |         |
|                                  | Fund Total: CURRENT                    |          |                                | 7,492.60 |             |         |
|                                  | Year Total:                            |          |                                | 7,492.60 |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

Pa 3.D.1.a

| Budget Account                        | Description                             | P.O. Id   | P.O. Description | Amount | Void Amount | PO Type |
|---------------------------------------|-----------------------------------------|-----------|------------------|--------|-------------|---------|
| Vendor                                |                                         |           |                  |        |             |         |
| Fund: CURRENT                         |                                         |           |                  |        |             |         |
| Department: ADMINISTRATION            |                                         |           |                  |        |             |         |
| Extd: ADMINISTRATION                  |                                         |           |                  |        |             |         |
| 1-01-20-100-000-201                   | ADMINISTRATION General Plant            |           |                  |        |             |         |
| GEECHA GEESE CHASERS, LLC             | 21-00825 2ND QTR 2021 CLEARING AND      | 1,079.00  | 0.00             | B      |             |         |
| GEECHA GEESE CHASERS, LLC             | 21-00831 2ND QTR 2021 CLEARING AND      | 649.50    | 0.00             | B      |             |         |
| AMAZO005 AMAZON.COM SERVICES          | 21-01449 NJ State Flag for Flagpole     | 33.28     | 0.00             |        |             |         |
| CRAPRI CRAFTMASTER PRINTING, INC.     | 21-01476 Asbury Park Banner             | 250.00    | 0.00             |        |             |         |
| GEECHA GEESE CHASERS, LLC             | 21-01547 #GC 21345 ADDLING SERVICES     | 595.00    | 0.00             |        |             |         |
|                                       |                                         | 2,606.78  |                  |        |             |         |
| 1-01-20-100-000-209                   | ADMINISTRATION Professional Services    |           |                  |        |             |         |
| SUREN005 SURENAN, EDWARDS & NOLAN LLC | 21-00305 2021 SERVICES RENDERED BLANKET | 9,034.99  | 0.00             | B      |             |         |
| 1-01-20-100-000-211                   | ADMINISTRATION Water                    |           |                  |        |             |         |
| KEPSPR KEPWEL SPRING WATER            | 21-01548 ACCT #117290 MAY 2021          | 391.00    | 0.00             |        |             |         |
|                                       | Extd Total: ADMINISTRATION              | 12,032.77 |                  |        |             |         |
|                                       | Department Total: ADMINISTRATION        | 12,032.77 |                  |        |             |         |
| Department: CENTRAL FUNCTIONS         |                                         |           |                  |        |             |         |
| Extd: CENTRAL FUNCTIONS               |                                         |           |                  |        |             |         |
| 1-01-20-115-000-299                   | CENTRAL FUNCTIONS Misc.                 |           |                  |        |             |         |
| UNIPAR UNITED PARCEL SERVICE, INC.    | 21-01546 Invoice 0000210F98221          | 14.98     | 0.00             |        |             |         |
|                                       | Extd Total: CENTRAL FUNCTIONS           | 14.98     |                  |        |             |         |
|                                       | Department Total: CENTRAL FUNCTIONS     | 14.98     |                  |        |             |         |
| Department: MUNIC CLERK               |                                         |           |                  |        |             |         |
| Extd: MUNICIPAL CLERK                 |                                         |           |                  |        |             |         |
| 1-01-20-120-000-217                   | MUNICIPAL CLERK Ads&Promotion           |           |                  |        |             |         |
| THECOA THE NEW COASTER, LLC           | 21-01472 ORD. 2021-20, 2021-21          | 84.56     | 0.00             |        |             |         |
| ASBPAK ASBURY PARK PRESS              | 21-01473 ORD 2021-18, 2021-19, 2021-22  | 173.40    | 0.00             |        |             |         |
| ASBPAK ASBURY PARK PRESS              | 21-01474 ORD 2021-18                    | 55.25     | 0.00             |        |             |         |
| ASBPAK ASBURY PARK PRESS              | 21-01556 ORD 2021-16, 2021-20, 2021-21  | 204.00    | 0.00             |        |             |         |
|                                       |                                         | 517.21    |                  |        |             |         |
|                                       | Extd Total: MUNICIPAL CLERK             | 517.21    |                  |        |             |         |
|                                       | Department Total: MUNIC CLERK           | 517.21    |                  |        |             |         |
| Department: FINANCE                   |                                         |           |                  |        |             |         |
| Extd: FINANCIAL ADMINISTRATION        |                                         |           |                  |        |             |         |
| 1-01-20-130-000-209                   | FINANCE Fees                            |           |                  |        |             |         |
| MARBUS MARLIN BUSINESS BANK           | 21-01494 INVOICE #19025123 JUNE 2021    | 339.50    | 0.00             |        |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a

| Budget Account<br>Vendor                | Description                              | P.O. Id | P.O. Description | Amount    | Void Amount | PO Type |
|-----------------------------------------|------------------------------------------|---------|------------------|-----------|-------------|---------|
| 1-01-20-130-000-222                     | FINANCE Training                         |         |                  |           |             |         |
| JPMUN JPMONZO MUNICIPAL CONSULTING      | 21-01414 ARP FUNNDING WEBINAR 5/26/21    |         |                  | 100.00    | 0.00        |         |
|                                         | Extd Total: FINANCIAL ADMINISTRATION     |         |                  | 439.50    |             |         |
|                                         | Department Total: FINANCE                |         |                  | 439.50    |             |         |
| Department: COMPUTER MIS                |                                          |         |                  |           |             |         |
| Extd: COMPUTERIZED DATA PROCESSING      |                                          |         |                  |           |             |         |
| 1-01-20-140-000-219                     | COMPUTER DATA PROC. Equipment            |         |                  |           |             |         |
| SHIINT SHI INTERNATIONAL CORP           | 21-01234 Q#20418684 FD Display Adapter   |         |                  | 239.72    | 0.00        |         |
| AMAZO005 AMAZON.COM SERVICES            | 21-01451 Finance Dual Monitors           |         |                  | 443.97    | 0.00        |         |
|                                         |                                          |         |                  | 683.69    |             |         |
| 1-01-20-140-000-222                     | COMPUTER DATA PROC Software Lic.         |         |                  |           |             |         |
| ZOOMV005 ZOOM VIDEO COMMUNICATIONS, INC | 21-01160 Q#Q960990 2021 Renewal          |         |                  | 3,898.00  | 0.00        |         |
| CBTNU005 CBT NUGGETS, LLC               | 21-01486 Q#2414492 2021 Renewal          |         |                  | 1,198.00  | 0.00        |         |
| ARCHI005 ARCHIVESOCIAL, INC.            | 21-01518 INV#15791 2021 Renewal          |         |                  | 2,988.00  | 0.00        |         |
|                                         |                                          |         |                  | 8,084.00  |             |         |
|                                         | Extd Total: COMPUTERIZED DATA PROCESSING |         |                  | 8,767.69  |             |         |
|                                         | Department Total: COMPUTER MIS           |         |                  | 8,767.69  |             |         |
| Department: TAX ASSESSOR                |                                          |         |                  |           |             |         |
| Extd: TAX ASSESSOR                      |                                          |         |                  |           |             |         |
| 1-01-20-150-000-238                     | TAX ASSESSOR Conventions                 |         |                  |           |             |         |
| MICHA020 MICHAEL DELRE                  | 21-01566 REIMBURSEMENT NRAAO CONFERENCE  |         |                  | 200.00    | 0.00        |         |
|                                         | Extd Total: TAX ASSESSOR                 |         |                  | 200.00    |             |         |
|                                         | Department Total: TAX ASSESSOR           |         |                  | 200.00    |             |         |
| Department: ENGINEER SERV               |                                          |         |                  |           |             |         |
| Extd: ENGINEERING SERVICES              |                                          |         |                  |           |             |         |
| 1-01-20-165-000-209                     | ENGINEERING SERVICES Fees                |         |                  |           |             |         |
| TMASSO T & M ASSOCIATES                 | 21-00298 2021 SERVICES RENDERED BLANKET  |         |                  | 24,191.50 | 0.00        | B       |
|                                         | Extd Total: ENGINEERING SERVICES         |         |                  | 24,191.50 |             |         |
|                                         | Department Total: ENGINEER SERV          |         |                  | 24,191.50 |             |         |
|                                         | CAFR Total:                              |         |                  | 46,163.65 |             |         |
| Department: Planning Department         |                                          |         |                  |           |             |         |
| Extd: Planning Department               |                                          |         |                  |           |             |         |
| 1-01-21-179-000-207                     | PLANNING DEPT. Training/Cert.            |         |                  |           |             |         |
| NJAPA AMERICAN PLANNING ASSOCIATION     | 21-01538 CONFERENCE ALONSO & SIEGLE      |         |                  | 400.00    | 0.00        |         |
|                                         | Extd Total: Planning Department          |         |                  | 400.00    |             |         |
|                                         | Department Total: Planning Department    |         |                  | 400.00    |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a

| Budget Account<br>Vendor       | Description                            | P.O. Id  | P.O. Description              | Amount     | Void Amount | PO Type |
|--------------------------------|----------------------------------------|----------|-------------------------------|------------|-------------|---------|
| Department: PLANNING BOARD     |                                        |          |                               |            |             |         |
| Extd: PLANNING BOARD           |                                        |          |                               |            |             |         |
| 1-01-21-180-000-201            | PLANNING BOARD General Plant           |          |                               |            |             |         |
| JACSER                         | JACK A. SERPICO                        | 21-01455 | Serpico invoices Apr 2021     | 2,075.00   | 0.00        |         |
| ASBPAK                         | ASBURY PARK PRESS                      | 21-01554 | #4724080 SPECIAL MEETING 6/3  | 126.80     | 0.00        |         |
| ASBPAK                         | ASBURY PARK PRESS                      | 21-01558 | #4741077 PB DRC MEETING 5/21  | 60.20      | 0.00        |         |
|                                |                                        |          |                               | 2,262.00   |             |         |
|                                | Extd Total: PLANNING BOARD             |          |                               | 2,262.00   |             |         |
|                                | Department Total: PLANNING BOARD       |          |                               | 2,262.00   |             |         |
|                                | CAFR Total:                            |          |                               | 2,662.00   |             |         |
| Department: GROUP INSUR.       |                                        |          |                               |            |             |         |
| Extd: EMPLOYEE GROUP INSURANCE |                                        |          |                               |            |             |         |
| 1-01-23-220-000-209            | EMPLOYEE GROUP INSURANCE Fees (IN CAP) |          |                               |            |             |         |
| NJSHBP                         | NJSHBP                                 | 21-01550 | HEALTH COVERAGE JUNE 2021     | 473,974.90 | 0.00        |         |
|                                | Extd Total: EMPLOYEE GROUP INSURANCE   |          |                               | 473,974.90 |             |         |
|                                | Department Total: GROUP INSUR.         |          |                               | 473,974.90 |             |         |
| Department: UNEMPLOY INSUR     |                                        |          |                               |            |             |         |
| Extd: UNEMPLOYMENT INSURANCE   |                                        |          |                               |            |             |         |
| 1-01-23-225-000-209            | UNEMPLOYMENT INSURANCE Fees            |          |                               |            |             |         |
| CITUNE                         | CITY OF ASBURY PARK                    | 21-01568 | Current Fund Budget Transfer  | 175,000.00 | 0.00        |         |
|                                | Extd Total: UNEMPLOYMENT INSURANCE     |          |                               | 175,000.00 |             |         |
|                                | Department Total: UNEMPLOY INSUR       |          |                               | 175,000.00 |             |         |
|                                | CAFR Total:                            |          |                               | 648,974.90 |             |         |
| Department: POLICE             |                                        |          |                               |            |             |         |
| Extd: POLICE DEPARTMENT        |                                        |          |                               |            |             |         |
| 1-01-25-240-000-201            | POLICE General Plant                   |          |                               |            |             |         |
| CRAPRI                         | CRAFTMASTER PRINTING, INC.             | 21-01329 | #11178 Business Card CRAWFORD | 45.00      | 0.00        |         |
| CRAPRI                         | CRAFTMASTER PRINTING, INC.             | 21-01439 | Business Cards Det A. Houlis  | 45.00      | 0.00        |         |
| SECON005                       | SECOND LIFE BIKES, INC.                | 21-01505 | #895090 TRACK MTN 24" BIKE    | 180.00     | 0.00        |         |
| ATLLOK                         | ATLANTIC LOCK & SAFE                   | 21-01535 | INV #005776 Gun Lock Repair   | 25.64      | 0.00        |         |
|                                |                                        |          |                               | 295.64     |             |         |
| 1-01-25-240-000-202            | POLICE Office Supplies                 |          |                               |            |             |         |
| CRAPRI                         | CRAFTMASTER PRINTING, INC.             | 21-01199 | Quote 11164 - FORMS & SLIPS   | 1,560.02   | 0.00        |         |
| WBMASON                        | W.B.MASON CO., INC.                    | 21-01516 | Batteries AA, AAA, 9 volt     | 125.97     | 0.00        |         |
|                                |                                        |          |                               | 1,685.99   |             |         |
| 1-01-25-240-000-203            | POLICE Motor Vehicle                   |          |                               |            |             |         |
| MAA AUT                        | MAACO COLLISION                        | 21-00041 | #66222-2 REFINISH DOORS ON    | 2,400.00   | 0.00        |         |
| SEAFOR                         | SEA BREEZE FORD INC.                   | 21-00779 | Blanket Car Maintenance       | 63.23      | 0.00        | B       |
| EASAUT                         | EASTERN AUTOPARTS WAREHOUSE            | 21-00857 | Blanket Car Repairs           | 356.51     | 0.00        | B       |
| MELCOR                         | AP CARWASH AND OIL CHANGE              | 21-00992 | Blanket for Police Vehicles   | 287.50     | 0.00        | B       |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

Pa 3.D.1.a

| Budget Account<br>Vendor | Description                      | P.O. Id  | P.O. Description               | Amount          | Void Amount | PO Type |
|--------------------------|----------------------------------|----------|--------------------------------|-----------------|-------------|---------|
| 1-01-25-240-000-203      | POLICE Motor Vehicle             |          | Continued                      |                 |             |         |
| QUAAUT                   | QUALITY AUTO GLASS, INC.         | 21-01361 | Quote 45499 Car #44 Repair     | 271.20          | 0.00        |         |
|                          |                                  |          |                                | <u>3,378.44</u> |             |         |
| 1-01-25-240-000-205      | POLICE Animal Control Services   |          |                                |                 |             |         |
| SPCA                     | MONMOUTH COUNTY SPCA             | 21-01336 | #2015638 APRIL 2021            | 5,119.05        | 0.00        |         |
| 1-01-25-240-000-218      | POLICE Contract.Serv.            |          |                                |                 |             |         |
| DYNIMA                   | DYNAMIC IMAGING SYSTEM, INC      | 21-01326 | #0021558-IN Annual Maintenance | 5,350.00        | 0.00        |         |
| WIRCOM                   | WIRELESS COMMUNICATIONS &        | 21-01328 | #M59856 MAY 2021               | 1,220.00        | 0.00        |         |
|                          |                                  |          |                                | <u>6,570.00</u> |             |         |
| 1-01-25-240-000-222      | POLICE Training                  |          |                                |                 |             |         |
| GLOPRO                   | GLOCK PROFESSIONAL, INC.         | 21-01515 | Armored's Course 5/4/21 For    | 250.00          | 0.00        |         |
| MONCON                   | MONMOUTH COUNTY POLICE ACADEMY   | 21-01541 | TRAINING/INSTRUCTOR COURSES    | 225.00          | 0.00        |         |
|                          |                                  |          |                                | <u>475.00</u>   |             |         |
| 1-01-25-240-000-237      | POLICE Accreditation             |          |                                |                 |             |         |
| GUATRA                   | GUARDIAN TRACKING, LLC           | 21-01327 | #2021-0446 Annual Subscription | 4,046.00        | 0.00        |         |
|                          |                                  |          |                                |                 |             |         |
|                          | Extd Total: POLICE DEPARTMENT    |          |                                | 21,570.12       |             |         |
|                          | Department Total: POLICE         |          |                                | 21,570.12       |             |         |
| Department: FIRE DEPT.   |                                  |          |                                |                 |             |         |
| Extd: FIRE DEPARTMENT    |                                  |          |                                |                 |             |         |
| 1-01-25-265-000-201      | FIRE DEPT. General Plant         |          |                                |                 |             |         |
| WESPES                   | WESTERN PEST SERVICES            | 21-01428 | Inv 6897261 MAY 2021           | 104.00          | 0.00        |         |
| JUNLAS                   | JUNGLE LASERS, LLC               | 21-01521 | INV #59626 5/16/21 - 6/15/21   | 1,000.00        | 0.00        |         |
|                          |                                  |          |                                | <u>1,104.00</u> |             |         |
| 1-01-25-265-000-203      | FIRE DEPT. Motor Vehicle         |          |                                |                 |             |         |
| EASAUT                   | EASTERN AUTOPARTS WAREHOUSE      | 21-00082 | Blanket PO Not to Exceed       | 80.82           | 0.00        | B       |
| 1-01-25-265-000-206      | FIRE DEPT. Purchase of Equipment |          |                                |                 |             |         |
| FIRONE                   | FIREFIGHTER ONE LIMITED          | 21-01456 | #SQ-00223087 HYDRANT WRENCH    | 261.12          | 0.00        |         |
| 1-01-25-265-000-229      | FIRE DEPT. Medical Sup.          |          |                                |                 |             |         |
| VERALP                   | V.E. RALPH & SON, INC.           | 21-01360 | Quote 92679 harness strap      | 213.96          | 0.00        |         |
| 1-01-25-265-000-262      | FIRE DEPT. Equipment Repairs     |          |                                |                 |             |         |
| APPINC                   | APPLE INC.                       | 21-01362 | iPad Screen Repair             | 249.00          | 0.00        |         |
|                          |                                  |          |                                |                 |             |         |
|                          | Extd Total: FIRE DEPARTMENT      |          |                                | 1,908.90        |             |         |
|                          | Department Total: FIRE DEPT.     |          |                                | 1,908.90        |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a

| Budget Account<br>Vendor              | Description                             | P.O. Id  | P.O. Description               | Amount    | Void Amount | PO Type |
|---------------------------------------|-----------------------------------------|----------|--------------------------------|-----------|-------------|---------|
| Department: PROSECUTOR                |                                         |          |                                |           |             |         |
| Extd: MUNICIPAL PROSECUTOR            |                                         |          |                                |           |             |         |
| 1-01-25-275-000-202                   | PROSECUTOR Fees                         |          |                                |           |             |         |
| JAMBUT JAMES N. BUTLER, JR.           |                                         | 21-00299 | 2021 SERVICES RENDERED BLANKET | 3,900.00  | 0.00        | B       |
|                                       | Extd Total: MUNICIPAL PROSECUTOR        |          |                                | 3,900.00  |             |         |
|                                       | Department Total: PROSECUTOR            |          |                                | 3,900.00  |             |         |
|                                       | CAFR Total:                             |          |                                | 27,379.02 |             |         |
| Department: STREETS & ROAD            |                                         |          |                                |           |             |         |
| Extd: STREETS & ROADS MAINTENANCE     |                                         |          |                                |           |             |         |
| 1-01-26-290-000-201                   | STREETS & ROAD General Plant            |          |                                |           |             |         |
| STAVOLA STAVOLA ASPHALT COMPANY, INC. |                                         | 21-01490 | #209691 Hot Mixed Asphalt      | 201.83    | 0.00        |         |
| NJLEAMUN NJ LEAGUE OF MUNICIPALITIES  |                                         | 21-01493 | SEASONAL LABORER HELP WANTED   | 115.00    | 0.00        |         |
|                                       |                                         |          |                                | 316.83    |             |         |
| 1-01-26-290-000-203                   | STREETS & ROAD Motor Vehicle            |          |                                |           |             |         |
| GPCNA091 GPC-NAPA AUTO PARTS          |                                         | 21-00317 | Various Supplies, Tools, etc   | 290.46    | 0.00        | B       |
| CHEVAL CHERRY VALLEY TRACTOR SALES    |                                         | 21-00319 | Supplies, Parts and Service    | 108.31    | 0.00        | B       |
| THEHAR THE HARDWARE STORE             |                                         | 21-00693 | Various Supplies, Tools, etc   | 85.13     | 0.00        | B       |
| EASAUT EASTERN AUTOPARTS WAREHOUSE    |                                         | 21-01164 | Automotive Parts, Tools & Svc  | 263.86    | 0.00        | B       |
| EDWTIR EDWARDS TIRE CO., INC.         |                                         | 21-01444 | Fortitude HT Goodyear Tires    | 606.44    | 0.00        |         |
|                                       |                                         |          |                                | 1,354.20  |             |         |
| 1-01-26-290-000-206                   | STREETS & ROAD Purchase of Equipment    |          |                                |           |             |         |
| CDWGOV CDW GOVERNMENT INC.            |                                         | 21-01305 | Q#1C4TLCY DPW Computer         | 1,287.78  | 0.00        |         |
| 1-01-26-290-000-210                   | STREETS & ROAD Network Fleet            |          |                                |           |             |         |
| VERCONN VERIZON CONNECT NWF INC.      |                                         | 21-01468 | INV#OSV000002441393 MAY 2021   | 2,958.00  | 0.00        |         |
| 1-01-26-290-000-215                   | STREETS & ROAD Misc. Hardware           |          |                                |           |             |         |
| UPTFAS UP-TITE FASTNERS INC.          |                                         | 21-00134 | Various Supplies and Tools     | 30.16     | 0.00        | B       |
| 1-01-26-290-000-218                   | STREETS & ROAD Contract.Serv.           |          |                                |           |             |         |
| MAZMUL MAZZA MULCH, INC.              |                                         | 21-01400 | #344831 Brush APRIL 2021       | 1,980.00  | 0.00        |         |
| TERPES THE TERMINIX INTERNATIONAL CO  |                                         | 21-01432 | #407561609 Pest Control 5/03   | 85.00     | 0.00        |         |
| PRESPE PREVENTION SPECIALISTS, INC.   |                                         | 21-01475 | INVOICE #30780 TESTING 5/17/21 | 102.00    | 0.00        |         |
|                                       |                                         |          |                                | 2,167.00  |             |         |
| 1-01-26-290-000-235                   | STREETS & ROAD Shade Tree Commission    |          |                                |           |             |         |
| CICFAR CICCONI FARMS, INC.            |                                         | 21-01311 | Perennial and Annual Plants    | 435.35    | 0.00        | B       |
| 1-01-26-290-000-272                   | STREETS & ROAD Miscellaneous            |          |                                |           |             |         |
| TREREV TREASURER STATE OF NEW JERSEY  |                                         | 21-01431 | Annual Site Remediation Fee    | 5,280.00  | 0.00        |         |
| DEREXC DERASMO EXCAVATING LLC         |                                         | 21-01460 | ESTIMATE #1333 SINKHOLE REPAIR | 4,950.00  | 0.00        |         |
|                                       |                                         |          |                                | 10,230.00 |             |         |
|                                       | Extd Total: STREETS & ROADS MAINTENANCE |          |                                | 18,779.32 |             |         |
|                                       | Department Total: STREETS & ROAD        |          |                                | 18,779.32 |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a

| Budget Account<br>Vendor            | Description                            | P.O. Id  | P.O. Description               | Amount    | Void Amount | PO Type |
|-------------------------------------|----------------------------------------|----------|--------------------------------|-----------|-------------|---------|
| Department: SOLID WASTE             |                                        |          |                                |           |             |         |
| Extd: SOLID WASTE COLLECTION        |                                        |          |                                |           |             |         |
| 1-01-26-305-000-209                 | SOLID WASTE Fees                       |          |                                |           |             |         |
| DELDEM                              | DELISA DEMOLITION, INC.                | 21-00954 | Removal of Construction Debris | 4,376.88  | 0.00        | B       |
| MASREC                              | MAZZA RECYCLING SERVICES, LTD.         | 21-01373 | INV #344199 APRIL 2021         | 7,212.17  | 0.00        |         |
| DELDEM                              | DELISA DEMOLITION, INC.                | 21-01435 | #208943 Trash Fees 5/1 - 5/15  | 29,546.85 | 0.00        |         |
|                                     |                                        |          |                                | 41,135.90 |             |         |
|                                     | Extd Total: SOLID WASTE COLLECTION     |          |                                | 41,135.90 |             |         |
|                                     | Department Total: SOLID WASTE          |          |                                | 41,135.90 |             |         |
| Department: BUILDING & GND          |                                        |          |                                |           |             |         |
| Extd: BUILDINGS & GROUNDS           |                                        |          |                                |           |             |         |
| 1-01-26-310-000-201                 | BUILDING & GND General Plant           |          |                                |           |             |         |
| THEHAR                              | THE HARDWARE STORE                     | 21-00727 | Various Supplies, Tools, etc   | 174.80    | 0.00        | B       |
| 1-01-26-310-000-218                 | BUILDING & GND Contract.Serv.          |          |                                |           |             |         |
| TERPES                              | THE TERMINIX INTERNATIONAL CO          | 21-01432 | #407561609 Pest Control 5/03   | 85.00     | 0.00        |         |
| TERPES                              | THE TERMINIX INTERNATIONAL CO          | 21-01489 | #407780003 Pest Control 5/10   | 542.00    | 0.00        |         |
|                                     |                                        |          |                                | 627.00    |             |         |
|                                     | Extd Total: BUILDINGS & GROUNDS        |          |                                | 801.80    |             |         |
|                                     | Department Total: BUILDING & GND       |          |                                | 801.80    |             |         |
|                                     | CAFR Total:                            |          |                                | 60,717.02 |             |         |
| Department: SENIOR CENTER           |                                        |          |                                |           |             |         |
| Extd: SENIOR CENTER                 |                                        |          |                                |           |             |         |
| 1-01-27-350-000-202                 | SENIOR CENTER Util. and Service Contr. |          |                                |           |             |         |
| OPTIMUM                             | OPTIMUM                                | 21-01487 | #07866-196932-01-7 5/15 - 6/14 | 8.33      | 0.00        |         |
| ATLFIR                              | ATLANTIC SECURITY & FIRE, INC.         | 21-01499 | Acc#004619 6/1/2021-8/31/2021  | 98.85     | 0.00        |         |
|                                     |                                        |          |                                | 107.18    |             |         |
| 1-01-27-350-000-205                 | SENIOR CENTER Recreation & Social      |          |                                |           |             |         |
| BREBAR                              | BRENNA BARKER                          | 21-01495 | REIMB. SR. CTR. SUPPLIES       | 69.00     | 0.00        |         |
| 1-01-27-350-000-299                 | SENIOR CENTER Misc.                    |          |                                |           |             |         |
| AMAZO005                            | AMAZON.COM SERVICES                    | 21-01508 | N-95 Masks                     | 44.00     | 0.00        |         |
|                                     | Extd Total: SENIOR CENTER              |          |                                | 220.18    |             |         |
|                                     | Department Total: SENIOR CENTER        |          |                                | 220.18    |             |         |
|                                     | CAFR Total:                            |          |                                | 220.18    |             |         |
| Department: RECREATION              |                                        |          |                                |           |             |         |
| Extd: RECREATION SERVICES & PROGRAM |                                        |          |                                |           |             |         |
| 1-01-28-370-000-290                 | RECREATION Programs/Activities         |          |                                |           |             |         |
| AMAZO005                            | AMAZON.COM SERVICES                    | 21-01419 | summer camp covid supplies     | 2,263.35  | 0.00        |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a  
Page 110

| Budget Account<br>Vendor | Description                               | P.O. Id   | P.O. Description              | Amount          | Void Amount | PO Type |
|--------------------------|-------------------------------------------|-----------|-------------------------------|-----------------|-------------|---------|
| 1-01-28-370-000-290      | RECREATION Programs/Activities            | Continued |                               |                 |             |         |
| AMAZ0005                 | AMAZON.COM SERVICES                       | 21-01483  | DISINFECTANT POWER SPRAYER    | <u>131.16</u>   | 0.00        |         |
|                          |                                           |           |                               | 2,394.51        |             |         |
|                          | Extd Total: RECREATION SERVICES & PROGRAM |           |                               | 2,394.51        |             |         |
|                          | Department Total: RECREATION              |           |                               | 2,394.51        |             |         |
|                          | CAFR Total:                               |           |                               | 2,394.51        |             |         |
| Department: LIGHTING     |                                           |           |                               |                 |             |         |
| Extd: LIGHT,HEAT,POW     |                                           |           |                               |                 |             |         |
| 1-01-31-435-435-299      | LIGHT, HEAT & POWER Misc.                 |           |                               |                 |             |         |
| NJNATU                   | N.J. NATURAL GAS CO.                      | 21-01536  | #10-3146-5850-17 4/14-5/13    | 4,839.27        | 0.00        |         |
| JCPL                     | JCPL                                      | 21-01564  | #100 016 770 099 4/27-5/26    | <u>3.10</u>     | 0.00        |         |
|                          |                                           |           |                               | 4,842.37        |             |         |
|                          | Extd Total: LIGHT,HEAT,POW                |           |                               | 4,842.37        |             |         |
| Extd: STREET/TRAFFIC     |                                           |           |                               |                 |             |         |
| 1-01-31-435-436-299      | STREET&TRAFFIC LIGHTING Misc.             |           |                               |                 |             |         |
| JCPL                     | JCPL                                      | 21-01537  | #100 013 520 380 4/420-5/19   | 17,252.79       | 0.00        |         |
| JCPL                     | JCPL                                      | 21-01564  | #100 016 770 099 4/27-5/26    | <u>1,693.59</u> | 0.00        |         |
|                          |                                           |           |                               | 18,946.38       |             |         |
|                          | Extd Total: STREET/TRAFFIC                |           |                               | 18,946.38       |             |         |
|                          | Department Total: LIGHTING                |           |                               | 23,788.75       |             |         |
| Department: TELEPHONE    |                                           |           |                               |                 |             |         |
| Extd: TELEPHONE          |                                           |           |                               |                 |             |         |
| 1-01-31-440-000-299      | TELEPHONE Misc.                           |           |                               |                 |             |         |
| ATLLC                    | AT&T MOBILITY LLC                         | 21-01466  | #87284651437 4/12-5/11        | 2,279.63        | 0.00        |         |
| ATLLC                    | AT&T MOBILITY LLC                         | 21-01467  | #287284936037 4/12-5/11       | 686.01          | 0.00        |         |
| MONINT                   | MONMOUTH INTERNET CORPORATION             | 21-01562  | INVOICE #319859-M JUNE 2021   | <u>3,902.50</u> | 0.00        |         |
|                          |                                           |           |                               | 6,868.14        |             |         |
|                          | Extd Total: TELEPHONE                     |           |                               | 6,868.14        |             |         |
|                          | Department Total: TELEPHONE               |           |                               | 6,868.14        |             |         |
| Department: GASOLINE     |                                           |           |                               |                 |             |         |
| Extd: GASOLINE           |                                           |           |                               |                 |             |         |
| 1-01-31-460-000-299      | GASOLINE Misc.                            |           |                               |                 |             |         |
| GRIALLI                  | GRIFFITH-ALLIED TRUCKING, LLC             | 21-01024  | Sulfur Diesel Fuel, Delivered | 2,128.43        | 0.00        | B       |
|                          | Extd Total: GASOLINE                      |           |                               | 2,128.43        |             |         |
|                          | Department Total: GASOLINE                |           |                               | 2,128.43        |             |         |
|                          | CAFR Total:                               |           |                               | 32,785.32       |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
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3.D.1.a

| Budget Account<br>Vendor                 | Description                                | P.O. Id  | P.O. Description               | Amount       | Void Amount | PO Type |
|------------------------------------------|--------------------------------------------|----------|--------------------------------|--------------|-------------|---------|
| Department: MUNIC COURT                  |                                            |          |                                |              |             |         |
| Extd: MUNICIPAL COURT                    |                                            |          |                                |              |             |         |
| 1-01-43-490-000-246                      | MUNIC COURT Postage                        |          |                                |              |             |         |
| GREFIN                                   | GREATAMERICA FINANCIAL SVCS.               | 21-01512 | INV #29359220 JUNE 2021        | 145.00       | 0.00        |         |
|                                          | Extd Total: MUNICIPAL COURT                |          |                                | 145.00       |             |         |
|                                          | Department Total: MUNICIPAL COURT          |          |                                | 145.00       |             |         |
| Department: PUBLIC DEFEND.               |                                            |          |                                |              |             |         |
| Extd: PUBLIC DEFENDER                    |                                            |          |                                |              |             |         |
| 1-01-43-495-000-021                      | Fees                                       |          |                                |              |             |         |
| RONTRO                                   | RONALD J. TROPOLI                          | 21-00938 | 2021 SERVICES RENDERED BLANKET | 2,500.00     | 0.00        | B       |
|                                          | Extd Total: PUBLIC DEFENDER                |          |                                | 2,500.00     |             |         |
|                                          | Department Total: PUBLIC DEFEND.           |          |                                | 2,500.00     |             |         |
|                                          | CAFR Total:                                |          |                                | 2,645.00     |             |         |
| CAFR: CURRENT FUND NON BUDGET ACCTS:     |                                            |          |                                |              |             |         |
| Department: TAXES PAYABLE:               |                                            |          |                                |              |             |         |
| Extd: TAXES PAYABLE:                     |                                            |          |                                |              |             |         |
| 1-01-55-001-000-001                      | School Taxes Payable                       |          |                                |              |             |         |
| ASBBOA                                   | ASBURY PARK BOARD OF EDUCATION             | 21-01567 | June 2021 School Tax           | 866,620.00   | 0.00        |         |
| 1-01-55-001-000-011                      | ACCOUNTS PAYABLE                           |          |                                |              |             |         |
| ERINEM                                   | ERIC J. NEMETH, P.C.                       | 19-03834 | Invoices 09098577 and 09100528 | 3,267.00     | 0.00        |         |
|                                          | Extd Total: TAXES PAYABLE:                 |          |                                | 869,887.00   |             |         |
|                                          | Department Total: TAXES PAYABLE:           |          |                                | 869,887.00   |             |         |
|                                          | CAFR Total: CURRENT FUND NON BUDGET ACCTS: |          |                                | 869,887.00   |             |         |
|                                          | Fund Total: CURRENT                        |          |                                | 1,693,828.60 |             |         |
| Fund: BEACH                              |                                            |          |                                |              |             |         |
| Department: UTILITY OE                   |                                            |          |                                |              |             |         |
| Extd: BEACH UTILITY O/E: OTHER EXPENSES: |                                            |          |                                |              |             |         |
| 1-05-55-502-000-201                      | BEACH UTILITY O/E: General Plant           |          |                                |              |             |         |
| NJAMER                                   | N.J. AMERICAN WATER CO.                    | 21-01561 | #1018-220033945570 4/6-5/5     | 124.44       | 0.00        |         |
| 1-05-55-502-000-209                      | BEACH UTILITY O/E: Custodial Supplies      |          |                                |              |             |         |
| VERITIV                                  | VERITIV OPERATING COMPANY                  | 21-00829 | Various Custodial Supplies     | 335.47       | 0.00        | B       |
| 1-05-55-502-000-211                      | BEACH UTILITY O/E: Light & Power           |          |                                |              |             |         |
| JCPL                                     | JCPL                                       | 21-01537 | #100 013 520 380 4/420-5/19    | 207.62       | 0.00        |         |
| JCPL                                     | JCPL                                       | 21-01563 | #100 137 418 495 5/20/21       | 200.97       | 0.00        |         |
|                                          |                                            |          |                                | 408.59       |             |         |
| 1-05-55-502-000-212                      | BEACH UTILITY O/E: Misc. Hardware          |          |                                |              |             |         |
| THEHAR                                   | THE HARDWARE STORE                         | 21-00691 | Various Supplies, Tools, etc   | 31.72        | 0.00        | B       |
| GRAING                                   | GRAINGER, INC.                             | 21-00986 | repair to beachfront restrooms | 810.31       | 0.00        |         |

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June 3, 2021  
10:14 AM

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Pa 3.D.1.a

| Budget Account<br>Vendor                | Description                                    | P.O. Id   | P.O. Description | Amount     | Void Amount | PO Type |
|-----------------------------------------|------------------------------------------------|-----------|------------------|------------|-------------|---------|
| 1-05-55-502-000-212                     | BEACH UTILITY O/E: Misc. Hardware              | Continued |                  |            |             |         |
| DREYE005 DREYER'S LUMBER & HARDWARE INC | 21-01446 SS HD Hinge Hasp, #770923             |           |                  | 157.85     | 0.00        |         |
|                                         |                                                |           |                  | 999.88     |             |         |
| 1-05-55-502-000-213                     | BEACH UTILITY O/E: Motor Vehicle               |           |                  |            |             |         |
| HBAR H. BARBER & SONS, INC.             | 21-01189 Apparatus for Beach Rake              |           |                  | 370.61     | 0.00        |         |
| 1-05-55-502-000-215                     | BEACH UTILITY O/E: Lumber/Bldg. Supplies       |           |                  |            |             |         |
| DREYE005 DREYER'S LUMBER & HARDWARE INC | 21-00707 BEACH LOCKER ROOF REPLACEMENT         |           |                  | 15,020.00  | 0.00        |         |
| AMAZO005 AMAZON.COM SERVICES            | 21-01426 GuardDog Exterior Wood Screw          |           |                  | 202.76     | 0.00        |         |
|                                         |                                                |           |                  | 15,222.76  |             |         |
| 1-05-55-502-000-216                     | BEACH UTILITY O/E: Porta Potties               |           |                  |            |             |         |
| BELPLU BELMAR PLUMBING & HEATING INC    | 21-01403 Water and Sewer Installation          |           |                  | 1,375.00   | 0.00        |         |
| 1-05-55-502-000-219                     | BEACH UTILITY O/E: Vehicle                     |           |                  |            |             |         |
| CENTJER CENTRAL JERSEY EQUIPMENT, LLC   | 21-00644 Repairs, Supplies, Tools, etc         |           |                  | 1,754.99   | 0.00        | B       |
|                                         | Extd Total: BEACH UTILITY O/E: OTHER EXPENSES: |           |                  | 20,591.74  |             |         |
|                                         | Department Total: UTILITY OE                   |           |                  | 20,591.74  |             |         |
| 1-05-55-503-000-302                     | BEACH UTILITY O/E: Unemployment                |           |                  |            |             |         |
| CITUNE CITY OF ASBURY PARK              | 21-01568 Current Fund Budget Transfer          |           |                  | 100,000.00 | 0.00        |         |
|                                         | Extd Total:                                    |           |                  | 100,000.00 |             |         |
|                                         | Department Total:                              |           |                  | 100,000.00 |             |         |
|                                         | CAFR Total:                                    |           |                  | 120,591.74 |             |         |
|                                         | Fund Total: BEACH                              |           |                  | 120,591.74 |             |         |
| Fund:                                   | TRANSPORTATION UTILITY: BUDGET:                |           |                  |            |             |         |
| Department:                             | UTILITY OE                                     |           |                  |            |             |         |
| Extd:                                   | TRANS.UTILITY O/E: OTHER EXPENSES:             |           |                  |            |             |         |
| 1-06-55-502-000-201                     | TRANS.UTILITY O/E: General Plant               |           |                  |            |             |         |
| GRAING GRAINGER, INC.                   | 21-00711 #2046839824 PLANTERS                  |           |                  | 14,329.80  | 0.00        |         |
| 1-06-55-502-000-202                     | TRANS.UTILITY O/E: Office Supplies             |           |                  |            |             |         |
| APPBRO APPLIANCE BROKERS OF ASBURY      | 21-01351 4.5 CF Refrigerator                   |           |                  | 314.00     | 0.00        |         |
| 1-06-55-502-000-209                     | TRANS.UTILITY O/E: Auto                        |           |                  |            |             |         |
| EASAUT EASTERN AUTOPARTS WAREHOUSE      | 21-00874 Blanket Car Repairs                   |           |                  | 6.10       | 0.00        | B       |
| 1-06-55-502-000-210                     | TRANS.UTILITY O/E: Signs                       |           |                  |            |             |         |
| GLSUP GLENCO SUPPLY INC.                | 21-01384 Dog Beach Signage                     |           |                  | 225.00     | 0.00        |         |
| 1-06-55-502-000-211                     | TRANS.UTILITY O/E: Street Markings             |           |                  |            |             |         |
| ROU34 ROUTE 34 LANDSCAPE SUPPLY YARD    | 21-01436 Topsoil for Planters                  |           |                  | 317.00     | 0.00        |         |
|                                         | Extd Total: TRANS.UTILITY O/E: OTHER EXPENSES: |           |                  | 15,191.90  |             |         |
|                                         | Department Total: UTILITY OE                   |           |                  | 15,191.90  |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

3.D.1.a

| Budget Account<br>Vendor                        | Description                                           | P.O. Id | P.O. Description | Amount    | Void Amount | PO Type |
|-------------------------------------------------|-------------------------------------------------------|---------|------------------|-----------|-------------|---------|
| Department: TRANS.UTILITY O/E: Deferred Charges |                                                       |         |                  |           |             |         |
| Extd: TRANS.UTILITY O/E: Deferred Charges       |                                                       |         |                  |           |             |         |
| 1-06-55-503-000-251                             | TRANS.UTILITY O/E: Unemployment                       |         |                  |           |             |         |
| CITUNE CITY OF ASBURY PARK                      | 21-01568 Current Fund Budget Transfer                 |         |                  | 7,500.00  | 0.00        |         |
|                                                 | Extd Total: TRANS.UTILITY O/E: Deferred Charges       |         |                  | 7,500.00  |             |         |
|                                                 | Department Total: TRANS.UTILITY O/E: Deferred Charges |         |                  | 7,500.00  |             |         |
|                                                 | CAFR Total:                                           |         |                  | 22,691.90 |             |         |
|                                                 | Fund Total: TRANSPORTATION UTILITY: BUDGET:           |         |                  | 22,691.90 |             |         |
| Fund: SEWER UTILITY: BUDGET:                    |                                                       |         |                  |           |             |         |
| Department: UTILITY OE                          |                                                       |         |                  |           |             |         |
| Extd: SEWER UTILITY O/E: OTHER EXPENSES:        |                                                       |         |                  |           |             |         |
| 1-07-55-502-000-211                             | SEWER UTILITY O/E: Light & Power                      |         |                  |           |             |         |
| NJNATU N.J. NATURAL GAS CO.                     | 21-01536 #10-3146-5850-17 4/14-5/13                   |         |                  | 5,311.85  | 0.00        |         |
| JCPL JCPL                                       | 21-01564 #100 016 770 099 4/27-5/26                   |         |                  | 19,332.64 | 0.00        |         |
|                                                 |                                                       |         |                  | 24,644.49 |             |         |
| 1-07-55-502-000-218                             | SEWER UTILITY O/E: Contract Services                  |         |                  |           |             |         |
| DEREXC DERASMO EXCAVATING LLC                   | 21-01184 Sewer Repair: Labor & Material               |         |                  | 5,400.00  | 0.00        |         |
| ANSWER ANSERCOMM COMMUNICATIONS                 | 21-01463 #M4541-042621 MAY 2021                       |         |                  | 158.11    | 0.00        |         |
| OPTIMUM OPTIMUM                                 | 21-01470 #07866-152521-04-4 5/15 - 6/14               |         |                  | 99.89     | 0.00        |         |
| OPTIMUM OPTIMUM                                 | 21-01471 #07866-197754-01-4 5/15 - 6/14               |         |                  | 157.58    | 0.00        |         |
|                                                 |                                                       |         |                  | 5,815.58  |             |         |
| 1-07-55-502-000-220                             | SEWER UTILITY O/E: Accounting                         |         |                  |           |             |         |
| NJAMER N.J. AMERICAN WATER CO.                  | 21-01465 INV# 4000211234 MAY 2021                     |         |                  | 396.20    | 0.00        |         |
| 1-07-55-502-000-224                             | SEWER UTILITY O/E: Sludge Removal                     |         |                  |           |             |         |
| PASVAL PASSAIC VALLEY SEWERAGE COM.             | 21-01354 INVOICE #519030 APRIL 2021                   |         |                  | 14,741.71 | 0.00        |         |
| 1-07-55-502-000-230                             | SEWER UTILITY O/E: Hypochlorite                       |         |                  |           |             |         |
| JCIJ0005 JCI JONES CHEMICALS, INC.              | 21-01372 #853064 MAY 2021                             |         |                  | 3,182.55  | 0.00        |         |
| 1-07-55-502-000-231                             | SEWER UTILITY O/E: Lab Supplies                       |         |                  |           |             |         |
| ENVIR005 ENVIRONMENTAL RESOURCES                | 21-01429 #159005 SERVICES RENDERED 4/30               |         |                  | 1,150.00  | 0.00        |         |
|                                                 | Extd Total: SEWER UTILITY O/E: OTHER EXPENSES:        |         |                  | 49,930.53 |             |         |
|                                                 | Department Total: UTILITY OE                          |         |                  | 49,930.53 |             |         |
| Department: SEWER ACCTS.PAYABLE                 |                                                       |         |                  |           |             |         |
| Extd: SEWER ACCTS.PAYABLE                       |                                                       |         |                  |           |             |         |
| 1-07-55-526-000-000                             | SEWER ACCTS.PAYABLE                                   |         |                  |           |             |         |
| TRABEA TRANS-BEARING COMPANY, INC.              | 19-01291 1/2" and 5/8" Link Belts                     |         |                  | 876.31    | 0.00        |         |

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June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

Pa 3.D.1.a

| Budget Account<br>Vendor | Description                                       | P.O. Id  | P.O. Description              | Amount       | Void Amount | PO Type |
|--------------------------|---------------------------------------------------|----------|-------------------------------|--------------|-------------|---------|
| 1-07-55-526-000-000      | SEWER ACCTS.PAYABLE                               |          | Continued                     |              |             |         |
| TRABEA                   | TRANS-BEARING COMPANY, INC.                       | 19-01357 | Various Supplies              | 120.68       | 0.00        | B       |
|                          |                                                   |          |                               | 996.99       |             |         |
|                          | Extd Total: SEWER ACCTS.PAYABLE                   |          |                               | 996.99       |             |         |
|                          | Department Total: SEWER ACCTS.PAYABLE             |          |                               | 996.99       |             |         |
|                          | CAFR Total:                                       |          |                               | 50,927.52    |             |         |
|                          | Fund Total: SEWER UTILITY: BUDGET:                |          |                               | 50,927.52    |             |         |
|                          | Year Total:                                       |          |                               | 1,888,039.76 |             |         |
| Fund:                    | GENERAL CAPITAL FUND BUDGET:                      |          |                               |              |             |         |
| Extd:                    | 2019 Ord. 2019-9 Var. Capital Improv.             |          |                               |              |             |         |
| C-04-55-998-177-001      | Section 20 Soft Costs                             |          |                               |              |             |         |
| ACAFGI                   | ACACIA FINANCIAL GROUP, INC.                      | 21-01549 | BAN Sale Advisory Services    | 1,030.43     | 0.00        |         |
|                          | Extd Total: 2019 Ord. 2019-9 Var. Capital Improv. |          |                               | 1,030.43     |             |         |
|                          | Department Total:                                 |          |                               | 1,030.43     |             |         |
|                          | CAFR Total:                                       |          |                               | 1,030.43     |             |         |
|                          | Fund Total: GENERAL CAPITAL FUND BUDGET:          |          |                               | 1,030.43     |             |         |
| Fund:                    | SEWER CAPITAL FUND BUDGET:                        |          |                               |              |             |         |
| Extd:                    | Sewer Plant Improvements - Ord. #3038             |          |                               |              |             |         |
| C-08-55-526-013-001      | Sewer Plant Impr - 40A Costs (Ord #3038)          |          |                               |              |             |         |
| TMASSO                   | T & M ASSOCIATES                                  | 20-01233 | WWTP RBC REPLACEMENT          | 1,232.00     | 0.00        | B       |
| ACAFGI                   | ACACIA FINANCIAL GROUP, INC.                      | 21-01549 | BAN Sale Advisory Services    | 913.03       | 0.00        |         |
|                          |                                                   |          |                               | 2,145.03     |             |         |
| C-08-55-526-013-002      | Sewer Plant Improvements - Ord. #3038             |          |                               |              |             |         |
| BRWELD                   | BR WELDING, INC.                                  | 20-03450 | RBC WEST CHANNEL IMPROVEMENTS | 166,845.00   | 0.00        | B       |
|                          | Extd Total: Sewer Plant Improvements - Ord. #3038 |          |                               | 168,990.03   |             |         |
|                          | Department Total:                                 |          |                               | 168,990.03   |             |         |
| Extd:                    | Ord. 2018-49 Var. Sewer Utility Impr.             |          |                               |              |             |         |
| C-08-55-528-020-001      | Section 20 Costs                                  |          |                               |              |             |         |
| ACAFGI                   | ACACIA FINANCIAL GROUP, INC.                      | 21-01549 | BAN Sale Advisory Services    | 27.05        | 0.00        |         |
|                          | Extd Total: Ord. 2018-49 Var. Sewer Utility Impr. |          |                               | 27.05        |             |         |
|                          | Department Total:                                 |          |                               | 27.05        |             |         |
|                          | CAFR Total:                                       |          |                               | 169,017.08   |             |         |
|                          | Fund Total: SEWER CAPITAL FUND BUDGET:            |          |                               | 169,017.08   |             |         |

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| Budget Account<br>Vendor                           | Description                                              | P.O. Id  | P.O. Description              | Amount     | Void Amount | PO Type |
|----------------------------------------------------|----------------------------------------------------------|----------|-------------------------------|------------|-------------|---------|
| Fund: PARKING CAPITAL                              |                                                          |          |                               |            |             |         |
| Department: Ord. 2019-7 Transport.Utility Improve. |                                                          |          |                               |            |             |         |
| Extd: Ord. 2019-7 Transport.Utility Improve.       |                                                          |          |                               |            |             |         |
| C-09-17-903-000-901                                | Section 20 Soft Costs                                    |          |                               |            |             |         |
| TMASSO T & M ASSOCIATES                            |                                                          | 19-03697 | Reso 2019-328 Asbury/Ridge    | 5,809.75   | 0.00        | B       |
|                                                    | Extd Total: Ord. 2019-7 Transport.Utility Improve.       |          |                               | 5,809.75   |             |         |
|                                                    | Department Total: Ord. 2019-7 Transport.Utility Improve. |          |                               | 5,809.75   |             |         |
| Department: Ord. 2020-8 Memorial Drive Paving      |                                                          |          |                               |            |             |         |
| Extd: Ord. 2020-8 Memorial Drive Paving            |                                                          |          |                               |            |             |         |
| C-09-17-906-000-901                                | Section 20 Costs                                         |          |                               |            |             |         |
| TMASSO T & M ASSOCIATES                            |                                                          | 20-03383 | Reso 2020-303 Memorial Dr.    | 14,378.75  | 0.00        | B       |
| ACAFGI ACACIA FINANCIAL GROUP, INC.                |                                                          | 21-01549 | BAN Sale Advisory Services    | 2,434.41   | 0.00        |         |
|                                                    |                                                          |          |                               | 16,813.16  |             |         |
|                                                    | Extd Total: Ord. 2020-8 Memorial Drive Paving            |          |                               | 16,813.16  |             |         |
|                                                    | Department Total: Ord. 2020-8 Memorial Drive Paving      |          |                               | 16,813.16  |             |         |
| Department: Ord. 2020-24 Bond Street Improvements  |                                                          |          |                               |            |             |         |
| Extd: Ord. 2020-24 Bond Street Improvements        |                                                          |          |                               |            |             |         |
| C-09-17-907-000-901                                | Section 20 Costs                                         |          |                               |            |             |         |
| TMASSO T & M ASSOCIATES                            |                                                          | 20-03381 | Reso 2020-302 Bond St. Improv | 55,683.50  | 0.00        | B       |
| ACAFGI ACACIA FINANCIAL GROUP, INC.                |                                                          | 21-01549 | BAN Sale Advisory Services    | 324.59     | 0.00        |         |
|                                                    |                                                          |          |                               | 56,008.09  |             |         |
|                                                    | Extd Total: Ord. 2020-24 Bond Street Improvements        |          |                               | 56,008.09  |             |         |
|                                                    | Department Total: Ord. 2020-24 Bond Street Improvements  |          |                               | 56,008.09  |             |         |
|                                                    | CAFR Total:                                              |          |                               | 78,631.00  |             |         |
|                                                    | Fund Total: PARKING CAPITAL                              |          |                               | 78,631.00  |             |         |
| Fund: BEACH CAPITAL FUND BUDGET:                   |                                                          |          |                               |            |             |         |
| Extd: Ord. 2019-42 Beach Utility Improv.           |                                                          |          |                               |            |             |         |
| C-10-55-101-102-001                                | Section 20 Costs                                         |          |                               |            |             |         |
| ACAFGI ACACIA FINANCIAL GROUP, INC.                |                                                          | 21-01549 | BAN Sale Advisory Services    | 270.49     | 0.00        |         |
|                                                    | Extd Total: Ord. 2019-42 Beach Utility Improv.           |          |                               | 270.49     |             |         |
|                                                    | Department Total:                                        |          |                               | 270.49     |             |         |
|                                                    | CAFR Total:                                              |          |                               | 270.49     |             |         |
|                                                    | Fund Total: BEACH CAPITAL FUND BUDGET:                   |          |                               | 270.49     |             |         |
|                                                    | Year Total:                                              |          |                               | 248,949.00 |             |         |

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| Budget Account<br>Vendor                      | Description                             | P.O. Id  | P.O. Description              | Amount    | Void Amount | PO Type |
|-----------------------------------------------|-----------------------------------------|----------|-------------------------------|-----------|-------------|---------|
| Fund: GRANT FUND BUDGET:                      |                                         |          |                               |           |             |         |
| G-02-43-913-019-200                           | Hazardous Discharge Remediation Grant   |          |                               |           |             |         |
| TMASSO                                        | T & M ASSOCIATES                        | 21-01437 | LAF 404811 APFD               | 6,246.83  | 0.00        |         |
|                                               | Extd Total:                             |          |                               | 6,246.83  |             |         |
|                                               | Department Total:                       |          |                               | 6,246.83  |             |         |
| G-02-43-922-019-200                           | Clean Communities Grant                 |          |                               |           |             |         |
| SHEWIL                                        | SHERWIN WILLIAMS                        | 21-01409 | Paint QUOTE # 5713335         | 70.18     | 0.00        |         |
|                                               | Extd Total:                             |          |                               | 70.18     |             |         |
|                                               | Department Total:                       |          |                               | 70.18     |             |         |
| Department: INT ON BONDS                      |                                         |          |                               |           |             |         |
| G-02-43-930-020-200                           | Madison Marquette Contr. Police         |          |                               |           |             |         |
| INSPSY                                        | INSTITUTE FOR FORENSIC                  | 21-01347 | #15429 Psychological Exam For | 2,000.00  | 0.00        |         |
|                                               | Extd Total:                             |          |                               | 2,000.00  |             |         |
|                                               | Department Total: INT ON BONDS          |          |                               | 2,000.00  |             |         |
| G-02-43-936-020-202                           | Misc/Other                              |          |                               |           |             |         |
| AMAZO005                                      | AMAZON.COM SERVICES                     | 21-01508 | N-95 Masks                    | 200.95    | 0.00        |         |
|                                               | Extd Total:                             |          |                               | 200.95    |             |         |
|                                               | Department Total:                       |          |                               | 200.95    |             |         |
| G-02-43-941-021-200                           | Mental Health Grant                     |          |                               |           |             |         |
| VISNUR                                        | VISITING NURSES ASSN. OF CENTR          | 21-00886 | Nursing Services Annual       | 6,833.33  | 0.00        | 8       |
|                                               | Extd Total:                             |          |                               | 6,833.33  |             |         |
|                                               | Department Total:                       |          |                               | 6,833.33  |             |         |
|                                               | CAFR Total:                             |          |                               | 15,351.29 |             |         |
|                                               | Fund Total: GRANT FUND BUDGET:          |          |                               | 15,351.29 |             |         |
|                                               | Year Total:                             |          |                               | 15,351.29 |             |         |
| Fund: ANIMAL CONTROL FUND BUDGET:             |                                         |          |                               |           |             |         |
| T-12-56-850-000-801                           | Reserve for Animal Control              |          |                               |           |             |         |
| NJDEPH                                        | NJ DEPT.HEALTH/SNR.SERV.                | 21-01430 | Dog License Report April 2021 | 147.00    | 0.00        |         |
|                                               | Extd Total:                             |          |                               | 147.00    |             |         |
|                                               | Department Total:                       |          |                               | 147.00    |             |         |
|                                               | CAFR Total:                             |          |                               | 147.00    |             |         |
|                                               | Fund Total: ANIMAL CONTROL FUND BUDGET: |          |                               | 147.00    |             |         |
| Fund: COMMUNITY DEVELOPMENT BLK GRANT BUDGET: |                                         |          |                               |           |             |         |
| Extd: CDBG Cares Act                          |                                         |          |                               |           |             |         |
| T-17-77-850-850-001                           | Administration                          |          |                               |           |             |         |
| CRAPRI                                        | CRAFTMASTER PRINTING, INC.              | 21-01338 | flier design-small business   | 65.00     | 0.00        |         |

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June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

Pa 3.D.1.a

| Budget Account<br>Vendor | Description                                         | P.O. Id  | P.O. Description               | Amount    | Void Amount | PO Type |
|--------------------------|-----------------------------------------------------|----------|--------------------------------|-----------|-------------|---------|
| T-17-77-850-850-008      | Hand Sanitizer Stations                             |          |                                |           |             |         |
| UPTFAS                   | UP-TITE FASTNERS INC.                               | 21-01323 | materials for bolting stations | 252.97    | 0.00        | B       |
|                          | Extd Total: CDBG Cares Act                          |          |                                | 317.97    |             |         |
|                          | Department Total:                                   |          |                                | 317.97    |             |         |
|                          | CAFR Total:                                         |          |                                | 317.97    |             |         |
| Extd:                    | 2020 CDBG Allotment                                 |          |                                |           |             |         |
| T-17-78-850-850-001      | Administration                                      |          |                                |           |             |         |
| AMAZO005                 | AMAZON.COM SERVICES                                 | 21-01502 | table cloths                   | 25.98     | 0.00        |         |
|                          | Extd Total: 2020 CDBG Allotment                     |          |                                | 25.98     |             |         |
|                          | Department Total:                                   |          |                                | 25.98     |             |         |
|                          | CAFR Total:                                         |          |                                | 25.98     |             |         |
| Extd:                    | CDBG Cares Act 2021                                 |          |                                |           |             |         |
| T-17-79-850-850-003      | Food Assistance                                     |          |                                |           |             |         |
| INTNEI                   | INTERFAITH NEIGHBORS, INC.                          | 21-01525 | Food assistance program        | 20,000.00 | 0.00        |         |
| FULFI005                 | FOOD BANK OF MONMOUTH & OCEAN                       | 21-01526 | Food assistance program        | 55,000.00 | 0.00        |         |
|                          |                                                     |          |                                | 75,000.00 |             |         |
|                          | Extd Total: CDBG Cares Act 2021                     |          |                                | 75,000.00 |             |         |
|                          | Department Total:                                   |          |                                | 75,000.00 |             |         |
|                          | CAFR Total:                                         |          |                                | 75,000.00 |             |         |
|                          | Fund Total: COMMUNITY DEVELOPMENT BLK GRANT BUDGET: |          |                                | 75,343.95 |             |         |
| Fund:                    | TRUST OTHER                                         |          |                                |           |             |         |
| T-20-56-850-935-315      | KENNEDY PARK CONC.(FRESH MARKETS NJ,LLC)            |          |                                |           |             |         |
| ANSZAR                   | ANSELL,GRIMM & AARON, P.C.                          | 21-01519 | Invoice 468278 Kennedy Park    | 200.00    | 0.00        |         |
|                          | Extd Total:                                         |          |                                | 200.00    |             |         |
|                          | Department Total:                                   |          |                                | 200.00    |             |         |
|                          | CAFR Total:                                         |          |                                | 200.00    |             |         |
|                          | Fund Total: TRUST OTHER                             |          |                                | 200.00    |             |         |
| Fund:                    | PLANNING & ZONING ESCROW FUND BUDGET:               |          |                                |           |             |         |
| CAFR:                    | PLANNING & ZONING ESCROW FUND BUDGET:               |          |                                |           |             |         |
| Department:              | CAP. IMP. FUND                                      |          |                                |           |             |         |
| T-21-00-511-000-299      | 1405 4TH AVENUE(1405 4TH,LLC)                       |          |                                |           |             |         |
| JACSER                   | JACK A. SERPICO                                     | 21-01455 | Serpico invoices Apr 2021      | 2,100.00  | 0.00        |         |
|                          | Extd Total:                                         |          |                                | 2,100.00  |             |         |
|                          | Department Total: CAP. IMP. FUND                    |          |                                | 2,100.00  |             |         |
| T-21-00-513-000-299      | 814 MAIN STREET(AP SHORE HOLDINGS, LLC)             |          |                                |           |             |         |
| JACSER                   | JACK A. SERPICO                                     | 21-01455 | Serpico invoices Apr 2021      | 225.00    | 0.00        |         |
|                          | Extd Total:                                         |          |                                | 225.00    |             |         |
|                          | Department Total:                                   |          |                                | 225.00    |             |         |

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June 3, 2021  
10:14 AM

CITY OF ASBURY PARK  
Purchase Order Listing By Budget Account

Pa 3.D.1.a

| Budget Account<br>Vendor                                                         | Description                             | P.O. Id  | P.O. Description          | Amount    | Void Amount | PO Type |
|----------------------------------------------------------------------------------|-----------------------------------------|----------|---------------------------|-----------|-------------|---------|
| Department: INT ON NOTES                                                         |                                         |          |                           |           |             |         |
| T-21-00-523-000-299<br>JACSER JACK A. SERPICO                                    | 705 SUNSET AVENUE(SAVITHA RAO)          | 21-01455 | Serpico invoices Apr 2021 | 300.00    | 0.00        |         |
| Extd Total:                                                                      |                                         |          |                           | 300.00    |             |         |
| Department Total: INT ON NOTES                                                   |                                         |          |                           | 300.00    |             |         |
| CAFR Total: PLANNING & ZONING ESCROW FUND BUDGET:                                |                                         |          |                           | 2,625.00  |             |         |
| Fund Total: PLANNING & ZONING ESCROW FUND BUDGET:                                |                                         |          |                           | 2,625.00  |             |         |
| Fund: CITY OF ASBURY PARK REDEVELOPMENT ESCROW                                   |                                         |          |                           |           |             |         |
| T-48-56-850-000-839<br>VETER010 VETERANS RELOCATION PROJECT                      | 45 BORDEN AVE.(VETERAN REL.PROJECT,LLC) | 21-01422 | Return of Escrow          | 15,027.76 | 0.00        |         |
| Extd Total:                                                                      |                                         |          |                           | 15,027.76 |             |         |
| Department Total:                                                                |                                         |          |                           | 15,027.76 |             |         |
| CAFR Total:                                                                      |                                         |          |                           | 15,027.76 |             |         |
| Fund Total: CITY OF ASBURY PARK REDEVELOPMENT ESCROW                             |                                         |          |                           | 15,027.76 |             |         |
| Year Total:                                                                      |                                         |          |                           | 93,343.71 |             |         |
| Total Charged Lines: 290 Total List Amount: 2,253,176.36 Total Void Amount: 0.00 |                                         |          |                           |           |             |         |

Attachment: Bill list 6-9-21 (2021-298 : Payment of Bills)

| Totals by Year-Fund                        |      |              |               |           |              |
|--------------------------------------------|------|--------------|---------------|-----------|--------------|
| Fund Description                           | Fund | Budget Total | Revenue Total | G/L Total | Total        |
| CURRENT                                    | 0-01 | 7,492.60     | 0.00          | 0.00      | 7,492.60     |
| CURRENT                                    | 1-01 | 1,693,828.60 | 0.00          | 0.00      | 1,693,828.60 |
| BEACH                                      | 1-05 | 120,591.74   | 0.00          | 0.00      | 120,591.74   |
| TRANSPORTATION UTILITY: BUDGET:            | 1-06 | 22,691.90    | 0.00          | 0.00      | 22,691.90    |
| SEWER UTILITY: BUDGET:                     | 1-07 | 50,927.52    | 0.00          | 0.00      | 50,927.52    |
| Year Total:                                |      | 1,888,039.76 | 0.00          | 0.00      | 1,888,039.76 |
| GENERAL CAPITAL FUND BUDGET:               | C-04 | 1,030.43     | 0.00          | 0.00      | 1,030.43     |
| SEWER CAPITAL FUND BUDGET:                 | C-08 | 169,017.08   | 0.00          | 0.00      | 169,017.08   |
| PARKING CAPITAL                            | C-09 | 78,631.00    | 0.00          | 0.00      | 78,631.00    |
| BEACH CAPITAL FUND BUDGET:                 | C-10 | 270.49       | 0.00          | 0.00      | 270.49       |
| Year Total:                                |      | 248,949.00   | 0.00          | 0.00      | 248,949.00   |
| GRANT FUND BUDGET:                         | G-02 | 15,351.29    | 0.00          | 0.00      | 15,351.29    |
| ANIMAL CONTROL FUND BUDGET:                | T-12 | 147.00       | 0.00          | 0.00      | 147.00       |
| COMMUNITY DEVELOPMENT BLK GRANT BUDGE      | T-17 | 75,343.95    | 0.00          | 0.00      | 75,343.95    |
| TRUST OTHER                                | T-20 | 200.00       | 0.00          | 0.00      | 200.00       |
| PLANNING & ZONING ESCROW FUND BUDGET:      | T-21 | 2,625.00     | 0.00          | 0.00      | 2,625.00     |
| CITY OF ASBURY PARK REDEVELOPMENT ESC T-48 |      | 15,027.76    | 0.00          | 0.00      | 15,027.76    |
| Year Total:                                |      | 93,343.71    | 0.00          | 0.00      | 93,343.71    |
| Total of All Funds:                        |      | 2,253,176.36 | 0.00          | 0.00      | 2,253,176.36 |

**June 9, 2021 Council Meeting**

|                                                          |                        |
|----------------------------------------------------------|------------------------|
| Balance Brought Forward from Total List Amount           | \$ 2,253,176.36        |
| NJ Motor Vehicle Commission                              | \$ 60.00               |
| Constant Contact (2021 Subscription)                     | \$ 1,050.00            |
| PMA Management Corporation                               | \$ 108,887.15          |
| Treas. State of NJ/727 Fund NJDEP, Trust Fund Management | \$ 24,910.74           |
| Reimb. of Medical Premiums 1/1/21-6/30/21                | \$ 42,054.24           |
|                                                          | <u>\$ 2,430,138.49</u> |



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-299**

Resolution authorizing brake repairs to the 2013 Seagrave Tower Ladder at the Fire Department utilizing funds from the Fire Department Motor Vehicle line item.



## RESOLUTION NO. 2021-299

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION AUTHORIZING BRAKE REPAIRS TO THE 2013 SEAGRAVE TOWER LADDER AT THE FIRE DEPARTMENT**

**WHEREAS**, the City has a need to replace the brakes on the 2013 Seagrave Tower Ladder at the Fire Department; and

**WHEREAS**, the City has solicited and obtained two quotes from Seagrave Sales and Service and New Jersey Emergency Vehicles; and

**WHEREAS**, the City of Asbury Park is desirous of awarding a contract for the brake repairs to the 2013 Seagrave at the Fire Department to Seagrave Sales and Service in the amount of \$7,410.02; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the following accounts 1-01-25-265-000-203. The maximum dollar value of the pending contract is as set forth in the resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park (the "City"), in the County of Monmouth, State of New Jersey authorize the brake repairs to the 2013 Seagrave Tower Ladder in the amount of \$7,410.02 and a copy of this Resolution shall be provided to the City Manager, CFO, Fire Chief, and Director of Purchasing.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-299 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 9th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



# Seagrave

*Since 1881*

Seagrave Sales & Service  
11 Edgeboro Road, Suite 1  
East Brunswick, NJ 08816

Phone: 732-967-9520  
Fax: 732-967-9521

## PARTS QUOTE

Quote: 1696

Date / Time: 5/28/2021 12:14:12PM

Customer: 2042

Branch: EBrunswick

Quote Total: \$7,410.02

Page 1 of 1

**Bill To:** City Of Asbury Park  
800 MAIN ST.  
ASBURY PARK, NJ 07712

**Ship To:** City Of Asbury Park  
800 MAIN ST.  
ASBURY PARK, NJ 07712  
Office Phone: 732-904-1295

| Customer P/O: QUOTE |                  | Inside Slsm: dmarone          |     | Delivery Method: Delivery |          |          |            |
|---------------------|------------------|-------------------------------|-----|---------------------------|----------|----------|------------|
| Supplier            | Part / Misc      | Description / Ref Number      | U/M | Quantity                  | List     | Price    | Extend Pri |
| TRA-08              | KXB4471B-MB23    | BRAKE SHOE - BONDED & RIVETED | EA  | 4                         | 309.76   | 139.08   | 556.       |
| TRA-08              | KXB-C1           | CORE - BRAKE SHOE             | EA  | 4                         | 1,500.00 | 375.00   | 1,500.     |
| TRA-08              | KXB-C1           | CORE - BRAKE SHOE             | EA  | -4                        | 1,500.00 | 375.00   | -1,500.    |
| TRA-08              | TA/23-123642-002 | BRAKE ROTOR, MERITOR (NEW)    | EA  | 2                         | 1,391.88 | 865.26   | 1,730.     |
| TRA-08              | TA/E-3518        | BRAKE SHOE KIT                | EA  | 2                         | 166.62   | 95.51    | 191.       |
| TRA-08              | TA/KIT2252H2CD   | PAD KIT (4 PADS)              | EA  | 1                         | 2,153.76 | 807.66   | 807.       |
| TRA-08              | 61862F           | DRUM 18 X 7                   | EA  | 2                         | 4,763.44 | 2,062.25 | 4,124.     |

|                     |              |
|---------------------|--------------|
| Total Parts:        | \$7,410.02   |
| Total Core Charges: | \$1,500.00   |
| Total Core Returns: | \$(1,500.00) |
| Quote Subtotal:     | \$7,410.02   |
| Total Tax:          | \$0.00       |
| Quote Total:        | \$7,410.02   |

Remit To:

Seagrave Sales & Service - EBrunswick  
7297 Solutions Center  
Chicago, IL 60677-7002

Signature: \_\_\_\_\_



Quote For: MONMOUTH COUNTY

DATE: APRIL 23, 2021

ATTN: PHIL

Re: 2013 SEAGRAVE  
VIN# 1F9FB28T4CDST2042

|                        |             |
|------------------------|-------------|
| PAD BRAKE KIT (4 PADS) | \$ 780.85   |
| BRAKE ROTOR x 2        | \$ 1,848.36 |
| REAR DRUM x 2          | \$ 2,613.40 |
| BRAKE SHOE KIT x 2     | \$ 3,065.01 |

TOTAL \$ 8,307.62

ALL PRICES ARE VALID FOR 30 DAYS.  
ALL WORK WILL BE PERFORMED AT NJEV UNLESS OTHERWISE STATED.  
\*\*ANY PRICING EXCEEDING \$9,000 WILL REQUIRE PAYMENT UPON COMPLETION  
AND PRIOR TO DELIVERY\*\*

PLEASE REVIEW, SIGN AND RETURN

APPROVED: \_\_\_\_\_

CONTACT NAME AND NUMBER \_\_\_\_\_

DATE: \_\_\_\_\_ P.O. # \_\_\_\_\_

**Jennifer Gural**  
*Service Coordinator*  
**New Jersey Emergency Vehicles**  
**Division of P.L. Custom Body & Equip.**  
**Co. Inc.**  
(732) 223-1411 ext. 172  
jgural@njev.net



(732) 223-1411 (732) 223-1164 fax  
Sales and Service  
2201 Atlantic Avenue Manasquan, New Jersey 08736



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-300**

Add 2021 Click It or Ticket Grant to the 2021 Budget in the amount of \$6,000.00



## RESOLUTION NO. 2021-300

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS  
OF REVENUE IN THE 2021 BUDGET OF THE CITY OF ASBURY PARK PURSUANT  
TO N.J.S.A. 40A:4-87 (CHAPTER 159) - CLICK IT OR TICKET GRANT**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for an equal amount.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$6,000.00. Which is now available from the US Department of Transportation - Click It or Ticket Grant

**BE IT FURTHER RESOLVED**, that a like sum of \$6,000.00 is hereby appropriated under the following caption:

General Appropriations:

Operations Excluded from "CAPS":

Public & Private Programs Offset by Revenues:

Click It or Ticket Grant

**BE IT FURTHER RESOLVED**, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City's Chief Financial Officer and City Auditor.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of

RESOLUTION NO. 2021-300 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS DAY OF , .

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-301**

Add 2021 Senior Center Grant additional funds to the 2021 Budget in the amount of \$9,038.00



## RESOLUTION NO. 2021-301

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

**RESOLUTION OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY PROVIDING FOR THE INSERTION OF SPECIAL ITEMS  
OF REVENUE IN THE 2021 BUDGET OF THE CITY OF ASBURY PARK PURSUANT  
TO N.J.S.A. 40A:4-87 (CHAPTER 159) - SENIOR CENTER GRANT**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for an equal amount.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and City Council of the City of Asbury Park, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$9,038.00. Which is now available from the County of Monmouth, Department of Human Services - Senior Center Grant.

**BE IT FURTHER RESOLVED**, that a like sum of \$9,038.00 is hereby appropriated under the following caption:

General Appropriations:

Operations Excluded from "CAPS":

Public & Private Programs Offset by Revenues:

Senior Center Grant

**BE IT FURTHER RESOLVED**, by the Mayor and City Council of the City of Asbury Park, that the City Clerk be and is hereby authorized to file said resolution in duplicate with the Director of the Division of Local Government Services and to provide a certified copy of this resolution to the City's Chief Financial Officer and City Auditor.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of

RESOLUTION NO. 2021-301 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS DAY OF , .

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-302**

Resolution authorizing a professional service contract to General Code for 2021 Ordinance Codification



## RESOLUTION NO. 2021-302

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GENERAL CODE FOR 2021 ORDINANCE CODIFICATION**

**WHEREAS**, the City has a need for professional service for the Codification of 2021 City Ordinances; and

**WHEREAS**, the not-to-exceed cost for 2021 Codifications work provided by General Code shall not exceed \$10,000.00; and

**WHEREAS**, this professional service is exempt from public bidding as per N.J.S.A. 40A:11-5(1)(x) Professional Services; and

**WHEREAS**, the City Manager is hereby authorized to sign any contracts with the vendor; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Current Fund 1-01-20-120-000-291; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Asbury Park, County of Monmouth, State of New Jersey, awards the contract for professional services related to the Codification of City Ordinances to General Code in the amount not-to-exceed \$10,000.00; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that a copy of this Resolution be provided to the City Clerk, CFO, City Manager and Director of Purchasing.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-302 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 9th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK

## Melody Hartsgrove

---

**From:** Michelle Wood <MWood@generalcode.com>  
**Sent:** Friday, May 14, 2021 11:02 AM  
**To:** Melody Hartsgrove  
**Subject:** [EXTERNAL] Asbury Park NJ-quote for 2021 Codification Services GC:022701505

Hi Melody,

Hope all is well.

Michelle here, to say hello and follow up on your request for 2021 Codification Services.

I did a look back at our City account records to provide an annual estimate for the Code Services.

| N.J.S.A. 40:49-4.<br>REVISION AND<br>CODIFICATION<br>OF<br>ORDINANCES. | Codification<br>Estimated Budget |
|------------------------------------------------------------------------|----------------------------------|
| Ordinances for the<br>period of 1/1/21—<br>12/31/21                    | \$9,400.                         |
| Ecode360-annual<br>invoice on 5/1                                      | \$1,195.                         |

Trust this is the information you requested. If not, please let me know with a call or email, happy to help.

Thanks Melody, enjoy the weekend and this beautiful weather!

Michelle

Michelle Wood  
 Solutions Account Executive

### General Code

A Member of the ICC Family of Solutions  
[generalcode.com](http://generalcode.com) |  
 585-328-1819 x 303  
 732-616-3315 Cell

**General Code: Building Vibrant Resilient Communities, Together**



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-303**

Resolution authorizing the annual renewal of Gunfire Technology with Shot Spotter. Asbury entered into an M.O.U. with the County of Monmouth and Township of Neptune via Resolution 2019-237. Asbury and Neptune agreed to be responsible for all cost necessary to keep Shot Spotter for 2021 and 2022.



## RESOLUTION NO. 2021-303

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION AUTHORIZING THE ANNUAL RENEWAL OF GUNFIRE TECHNOLOGY WITH SHOTSPOTTER**

**WHEREAS**, Asbury Park, Neptune Township and the County of Monmouth have negotiated a Memorandum of Understanding (the “M.O.U.”) which contains all of the terms and conditions associated with establishing the Gunfire Technology in Asbury Park via Resolution #2019-372; and

**WHEREAS**, the City has a need to renew the Gunfire Technology with ShotSpotter Inc.; and

**WHEREAS**, the City has obtained the attached quote from ShotSpotter for the service period of June 30, 2021 through June 29, 2022 in the amount of \$54,450.00; and

**WHEREAS**, this service is exempt from public bidding as per the New Jersey Local Public Contracts Law under Section 40A:11-5(dd) Exemptions; and

**WHEREAS**, the City of Asbury Park is desirous of awarding a contract for the annual renewal of gunfire technology to the vendor listed above in an amount of \$54,450.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the following accounts 1-01-25-240-000-201. The maximum dollar value of the pending contract is as set forth in the resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Asbury Park (the “City”), in the County of Monmouth, State of New Jersey authorize the renewal of gunfire technology with ShotSpotter in the amount of \$54,450.00 and a copy of this Resolution shall be provided to the City Manager, CFO, Chief of Police, and Director of Purchasing.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-303 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 9th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK

**ShotSpotter, Inc.**

7979 Gateway Blvd., #210  
 Newark, CA 94560  
 Ph. 510-794-3172  
 Fx. 408-608-0340  
 www.shotspotter.com  
 accounting@shotspotter.com  
 Tax ID # 47-0949915

**INVOICE**

Invoice Date 5/27/2021  
 Invoice# INV#12104  
 Invoice Due Date 6/26/2021

PO 264649

Monmouth County  
 Freehold, NJ 07728  
 United States

City of Asbury Park

| Description                                                                                                                         | Amount             |
|-------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>199-0000-01</b> ShotSpotter Respond Gunshot Location Services for the period 6/30/2021 -<br><b>Flex</b> 6/29/2022<br>Year 2 of 3 | \$54,450.00        |
| <b>Total</b>                                                                                                                        | <b>\$54,450.00</b> |

*For ACH payments, please use the following bank info:*

Bank Name : Umpqua Bank, Portland, OR  
 ABA Routing No.: 123205054  
 Account Name : ShotSpotter Inc DBA SST Inc  
 Account No. : 4863184075

Attachment: SHOTSPOTTER RENEWAL (2021-303 : Authorizing the Annual Renewal of Gunfire Technology with ShotSpotter)



INV#12104



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-304**

Resolution authorizing a professional service contract to the Rodger's Group for online Police training module.



## RESOLUTION NO. 2021-304

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO THE RODGER'S GROUP FOR POLICE TRAINING**

**WHEREAS**, the City has a need for training modules that are specifically designed to meet the New Jersey Attorney General's mandatory In-Service requirements; and

**WHEREAS**, the City has obtained the attached invoice from the Rodger's Group totaling \$23,593.00; and

**WHEREAS**, this professional service is exempt from public bidding as per N.J.S.A. 40A:11-5(1)(dd) Professional Services; and

**WHEREAS**, the City Manager is hereby authorized to sign any contracts with the vendor; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Current Fund 1-01-25-240-000-237; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Asbury Park, County of Monmouth, State of New Jersey, awards the contract for professional services related to the Police Department training Modules to The Rodger's Group in a not-to-exceed amount of \$23,593.00; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that a copy of this Resolution be provided to the Chief of Police, CFO, City Manager and Director of Purchasing.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-304 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 9th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



The TRG 2021-2022 Asbury Park PD Online Training Proposal

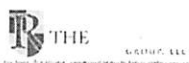


# THE 2021-2022 ASBURY PARK POLICE DEPARTMENT ONLINE TRAINING MODULE PROPOSAL



Prepared Exclusively for:  
**CHIEF DAVID KELSO**

SUBMITTED BY:  
THE RODGERS GROUP, LLC  
P.O. BOX 831, ISLAND HEIGHTS, NEW JERSEY 08732  
OFFICE: 732-279-6657  
EMAIL: [INFO@RODGERSGROUPLLC.COM](mailto:INFO@RODGERSGROUPLLC.COM)  
WEB: [WWW.RODGERSGROUPLLC.COM](http://WWW.RODGERSGROUPLLC.COM)



### The TRG 2021-2022 Asbury Park PD Online Training Proposal

The Rodgers Group, LLC, (TRG) has developed an online in-service training program proposal for the Asbury Park Police Department. Each training module listed is designed specifically for the Asbury Park Police Department and address **their individual respective mandatory training requirement** set forth by the New Jersey Attorney General's Office and the NJSACOP Accreditation Program. Implementation of the program will substantially decrease your agency's training expenses, cut overtime associated with mandatory training and will ensure your agency's in-service training meets the highest standards. Each training module contains a comprehensive PowerPoint presentation and a minimum of 25 test questions. Table 1.1 below outlines your respective 2021-2022 schedule.

**Table 1.1 The 2021-2022 Asbury Park Police Department Online Training Schedule**

| Delivery Month | Module #           | Training Module                                                          | Personnel       |
|----------------|--------------------|--------------------------------------------------------------------------|-----------------|
| July 2021      | 2021-01<br>2021-02 | 2021 LEGAL UPDATES<br>2021 CODE OF ETHICS                                | Sworn Personnel |
| August 2021    | 2021-03<br>2021-04 | 2021 CJIS COMPLIANCE<br>2021 OFF DUTY BEHAVIOR                           | Sworn Personnel |
| September 2021 | 2021-05<br>2021-06 | 2021 RIGHT TO KNOW<br>LEADERSHIP: THE PERSPECTIVE OF THE FOLLOWER        | Sworn Personnel |
| October 2021   | 2021-07<br>2021-08 | FALL 2021 USE OF FORCE<br>FALL 2021 VEHICULAR PURSUIT                    | Sworn Personnel |
| November 2021  | 2021-09            | 2021 DOMESTIC VIOLENCE                                                   | Sworn Personnel |
| December 2021  | 2021-10            | 2021 BLOODBORNE PATHOGENS                                                | Sworn Personnel |
| January 2022   | 2022-01<br>2022-02 | 2022 PERFORMANCE EVALUATIONS<br>INTRODUCTION TO SOCIAL MEDIA             | Sworn Personnel |
| February 2022  | 2022-03<br>2022-04 | 2022 WORKPLACE HARASSMENT PREVENTION<br>POLICE OFFICER SUICIDE AWARENESS | Sworn Personnel |
| March 2022     | 2022-05            | SUPERVISORY LIABILITY                                                    | Sworn Personnel |
| April 2022     | 2022-06<br>2022-07 | SPRING 2022 USE OF FORCE<br>SPRING 2022 VEHICULAR PURSUIT                | Sworn Personnel |
| May 2022       | 2022-08            | HANDLING EDP                                                             | Sworn Personnel |
| June 2022      | 2022-09            | 2022 HANDLING EDP – TEMPORARY DETENTION                                  | Sworn Personnel |

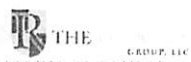


## The TRG 2021-2022 Asbury Park PD Online Training Proposal

**Table 1.2 The 2021-2022 Asbury Park Police Department Delivery Schedule**

| Module Number | Delivery Date | DTL Review Period    | Delivery onto the DMS System | Module Completion Date |
|---------------|---------------|----------------------|------------------------------|------------------------|
| 2021-01       | 07-01-21      | 07-01-21 to 07-15-21 | July 15, 2021                | August 15, 2021        |
| 2021-02       | 07-15-21      | 07-15-21 to 07-31-21 | August 01, 2021              | August 31, 2021        |
| 2021-03       | 08-01-21      | 08-01-21 to 08-15-21 | August 15, 2021              | September 15, 2021     |
| 2021-04       | 08-15-21      | 08-15-21 to 08-31-21 | September 01, 2021           | September 30, 2021     |
| 2021-05       | 09-01-21      | 09-01-21 to 09-15-21 | September 15, 2021           | October 15, 2021       |
| 2021-06       | 09-15-21      | 09-15-21 to 09-30-21 | October 01, 2021             | October 31, 2021       |
| 2021-07       | 10-01-21      | 10-01-21 to 10-15-21 | October 15, 2021             | November 15, 2021      |
| 2021-08       | 10-15-21      | 10-15-21 to 10-31-21 | November 1, 2021             | November 30, 2021      |
| 2021-09       | 11-01-21      | 11-01-21 to 11-15-21 | November 15, 2021            | December 15, 2021      |
| 2021-10       | 12-01-21      | 12-01-21 to 12-15-21 | December 15, 2021            | January 15, 2022       |
| 2022-01       | 01-01-22      | 01-01-22 to 01-15-22 | January 15, 2022             | February 15, 2022      |
| 2022-02       | 01-15-22      | 01-15-22 to 01-31-22 | February 01, 2022            | February 28, 2022      |
| 2022-03       | 02-01-22      | 02-01-22 to 02-15-22 | February 15, 2022            | March 31, 2022         |
| 2022-04       | 02-15-22      | 02-15-22 to 02-28-22 | March 01, 2022               | March 31, 2022         |
| 2022-05       | 03-01-22      | 03-01-22 to 03-15-22 | March 15, 2022               | April 30, 2022         |
| 2022-06       | 04-01-22      | 04-01-22 to 04-15-22 | April 15, 2022               | May 31, 2022           |
| 2022-07       | 04-15-22      | 04-15-22 to 04-30-22 | May 01, 2022                 | May 31, 2022           |
| 2022-08       | 05-01-22      | 05-01-22 to 05-15-22 | May 15, 2022                 | June 15, 2022          |
| 2022-09       | 06-01-22      | 06-01-22 to 06-15-22 | June 15, 2022                | July 31, 2022          |

As described in Table 1.3 on the next page, the Designated Training Liaison (DTL) will be afforded a prescribed "review period," that includes firm dates. This process is critical as it ensures that the training modules will be provided methodically to the APPD employees. The review period is afforded to the DTL to bring any questions regarding the training product, or any recommendations regarding specific policy to the assigned TRG Trainer.



## The TRG 2021-2022 Asbury Park PD Online Training Proposal

The TRG Trainer will work in concert with the DTL to resolve these issues in a timely fashion that leads to an approval prior to the end of the review period. Once the "Review Period" is over for a specific module, TRG assumes that the Asbury Park Police Department has approved the training product and it will be ready to be entered into the DMS System by Asbury Park personnel.

### PRICING STRUCTURE

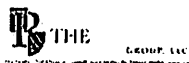
TRG has aggressively priced our training products to ensure that the Asbury Park Police Department receives the highest level of training at the lowest possible cost. The Rodgers Group, LLC, recognizes the importance of the role that civilian employees play within the law enforcement community. Upon approval of this proposal, we will offer the listed training modules to all Asbury Park Police Department civilian employees at no cost to the agency.

**Table 1.4 The 2021-2022 Asbury Park Police Department Pricing Structure**

| Employee Type                                    | Module Cost        | Modules | Total Annual Cost Per Officer |
|--------------------------------------------------|--------------------|---------|-------------------------------|
| Sworn Personnel<br>1 to 75 Employees             | \$16.00 Per Module | 19      | \$304.00                      |
| Sworn Personnel<br>76 to 100 (25% Discount)      | \$12.00 Per Module | 19      | \$228.00                      |
| SLEO Personnel Class I, II, III<br>All Employees | \$100.00 Flat Fee  | 19      | \$100.00                      |

**Table 1.5 The 2021-2022 Asbury Park Police Department Pricing Structure**

| Employee Type                                        | Annual Fee          | Number of Employees | Total Annual Cost  |
|------------------------------------------------------|---------------------|---------------------|--------------------|
| Sworn Personnel<br>1 to 75 Employees                 | \$304.00            | 75                  | \$22,800.00        |
| Sworn Personnel<br>76 to 100 Employees               | \$228.00            | 14                  | \$3,192.00         |
| SLEO Personnel<br>All                                | \$100.00            | 35                  | \$3,500.00         |
| 2021-2022 Discount for<br>Purchasing over 18 modules | 20 Percent Discount |                     | -\$5,899.00        |
| <b>TOTAL AMOUNT FOR THIS<br/>CONTRACT</b>            |                     |                     | <b>\$23,593.00</b> |



### The TRG 2021-2022 Asbury Park PD Online Training Proposal

As listed above, the total annual cost for the TRG Online Training Program stands at **\$23,593.00**, for a comprehensive, professional, and required selection of training courses. Once the contract is established, the TRG Trainers will work with the Asbury Park Police Department DTL to finalize the training schedule.



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-305**

Re-adoption of resolution in order to correct name of Alliance in body of resolution



## RESOLUTION NO. 2021-305

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION DESIGNATING RED BANK TO SERVE AS LEAD MUNICIPAL AGENCY AS PART OF THE SUSTAINABLE MONMOUTH ALLIANCE ENERGY AGGREGATION PROGRAM**

WHEREAS, the City of Asbury Park strives to be a sustainable community by initiating and supporting environmental efforts aimed to preserve and maintain clean land, air and water; and

WHEREAS, the City of Asbury Park supports efforts to improve and increase the renewable content ("cleaner energy") of our electricity supply; and

WHEREAS, The City of Asbury Park supports efforts to both lower residents' electricity bills and reduce the environmental impact of their electrical usage, and

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq. governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities ("BPU") has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq., the City of Asbury Park seeks to participate in a Government Energy Aggregation Program ("Program") for the purpose of obtaining cleaner energy at as low a cost as possible for residential and business participants in the Township; and

WHEREAS, the City of Asbury Park is participating in a coalition of Monmouth County municipalities, the Sustainable Monmouth Alliance ("SMA"), for the purpose of pooling purchasing and negotiating power for better energy pricing and improved environmental attributes; and

WHEREAS, the SEA committee is comprised of representatives from all the involved towns, mostly municipal employees, elected officials, or appointees, who on behalf of their

respective townships shall make decisions regarding the Energy Aggregation Program, each town having a single vote on the committee, and

WHEREAS, the borough of Red Bank has agreed to be the Lead Agency in the Aggregation Program, meaning it will establish and manage the Program, including drafting the RFP for engaging the energy management consultant, and a rubric to assess responses to it, and

WHEREAS, the City of Asbury Park members of the SMA will present the Asbury Park City Council with the SMA's recommendation for the energy consultant, who will prepare ordinances, issue the required notifications, get the necessary approvals, and draft the bidding documents to solicit the third-party energy supplier pursuant to the statutory requirements of Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.*

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Asbury Park that:

1. The City of Asbury Park be and is hereby authorized to participate in a Government Energy Aggregation Program; and
2. The Borough of Red Bank agrees to serve as the Lead Agency in the Sustainable Monmouth Alliance Government Energy Aggregation Program; and
3. The City Manager and the Municipal Clerk of the City of Asbury Park may execute any document to fulfill the intent of this Resolution.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-305 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



Individual Resolutions  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
RESOLUTION SUMMARY

**2021-306**

This resolution will ratify the appointment of Michael J. Schnurr as Certified Tax Collector for the City of Asbury Park.



## RESOLUTION NO. 2021-306

**City of Asbury Park  
County of Monmouth  
State of New Jersey**

### **RESOLUTION RATIFYING THE APPOINTMENT OF TAX COLLECTOR FOR THE CITY OF ASBURY PARK**

**WHEREAS**, N.J.S.A. 40A:9-141 and N.J.S.A. 40A:9-142 require the appointment of a Certified Tax Collector;

**WHEREAS**, the City's Certified Tax Collector position is currently vacant;

**WHEREAS**, City must appoint a Certified Tax Collector to fill the unexpired January 1, 2019 through December 2022 term ("unexpired term");

**WHEREAS**, the City desires to hire Michael J. Schnurr to fill the unexpired term and offered him the position of Certified Tax Collector for the remainder of the unexpired term;

**WHEREAS**, the City's offer of employment is subject to the conditions set forth in his offer letter, including the obligation to have and maintain a tax collector certificate;

**WHEREAS**, Mr. Schnurr accepted the position of Certified Tax Collector for the unexpired term;

**WHEREAS**, the appointment must be ratified by resolution of the City Council;

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey that the City Council hereby ratifies the appointment of Michael J. Schnurr as the City's Certified Tax Collector for the period of July 1, 2021 through the end of the unexpired term.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2021-306 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

CERTIFIED BY ME THIS 10th DAY OF June, 2021.

MELODY HARTSGROVE  
CITY CLERK



**Asbury Park, New Jersey  
ORDINANCE NO. 2021-26**

**AMENDMENT TO THE MAIN STREET REDEVELOPMENT PLAN**

**WHEREAS**, on November 12, 2008 the Mayor and City Council adopted Ordinance No. 2886 entitled “ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ADOPTING THE MAIN STREET REDEVELOPMENT PLAN RELATING TO THE MAIN STREET REDEVELOPMENT AREA” (the “Ordinance”); and

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 *et seq.*, the “Act”) the Ordinance adopted a plan (the “Main Street Redevelopment Plan” or the “Plan”) for the redevelopment of an area (the “Main Street Redevelopment Area” or the “Area”) which had been determined to be an area in need of redevelopment per the criteria and procedures set forth in the Act; and

**WHEREAS**, on November 12, 2014, the Mayor and City Council amended the Main Street Redevelopment Plan to permit microbreweries on Block 2702, Lot 7 in the Community Shopping Zone; and

**WHEREAS**, on February 28, 2018, the Mayor and City Council further amended the Main Street Redevelopment Plan to permit recording studios in the Community Shopping Zone permit valet parking in the Civic/South Gateway; and

**WHEREAS**, on August 22, 2018, the Mayor and City Council still further amended the Main Street Redevelopment Plan to permit banks and accessory ATM machines in the Sunset Park Zone; and

**WHEREAS**, the Main Street Redevelopment Plan has led to an increase in public and private investment within the Area since its adoption; however, the Plan may benefit from further amendments to remove barriers to further investment; and

**WHEREAS**, the Act sets forth the process by which amendments to any redevelopment plan shall be considered and, if appropriate, adopted; and

**WHEREAS**, a request has been made to the City to extend the Plan boundaries as an Area in Need of Rehabilitation so that the whole footprint of the project referenced below is within the Main Street Redevelopment Plan boundaries and to amend the development standards in the Plan for Block 2503, Lots 1-5; and

**WHEREAS**, the City desires to consider the request by adding to the Plan Block 2503,

Lots 2-5 under the City-Wide Area in Need of Rehabilitation Designation, and to permit Block 2503, Lots 1-5 to have a maximum height of 5 stories (60 feet) with an additional penthouse of 12 feet in height, and require large expanses of blank walls to have murals to be approved by the municipal public art commission; and

**WHEREAS**, in evaluating the proposed amendments, the Mayor and Council considered the permitted uses in the existing Plan and the effect, if any, that these this amendment would have on the City's Master Plan and concluded that such an amendment would support the goals of the Plan and the Master Plan; and

**WHEREAS**, the City's Director of Planning and Redevelopment has opined that the proposed amendments attached hereto as **EXHIBIT A** are appropriate as presented at the Municipal Council Workshop meeting of October 14, 2020; and

**WHEREAS**, since the Zoning Board does not have jurisdiction to consider an application for a variance relating to properties that are located in a redevelopment area, the Mayor and City Council must instead approve such use either generally or specifically through an amendment to the Plan; and

**WHEREAS**, the Mayor and Council desire to amend the Plan in order to add Block 2503, Lots 2-5 under the City-Wide Area in Need of Rehabilitation Designation, and to permit Block 2503, Lots 1-5 to have a maximum height of 5 stories (60 feet) with an additional penthouse of 12 feet in height, and require large expanses of blank walls to have murals to be approved by the municipal public art commission; and

**WHEREAS**, on February 10, 2021 the Mayor and City Council forwarded the proposed amendments to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7(e), which statute provides the Planning Board with a period of 45 days to review the proposed amendment(s) and provide recommendations and comments thereon back to the Municipal Council; and

**WHEREAS**, the Planning Board did find that the propose amendments in compliance with the Municipal Master Plan and recommended the additional language that the penthouse be limited to 25% of the roof area and that it be setback from the perimeter at least 12 feet which is similar to what is permitted in the Central Business District Redevelopment Plan; and

**WHEREAS**, the City's Director of Planning and Redevelopment has prepared these amendments as set forth in the Memorandum attached hereto as **EXHIBIT A**; and

**WHEREAS**, the Mayor and City Council now wish to adopt the proposed amendment(s), and the revised Plan as attached with the Planning Board's recommendation.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ASBURY PARK, AS FOLLOWS:**

SECTION 1. The proposed amendment(s) to the Plan are hereby adopted, and the Plan is hereby amended in accordance with the revised portions of the Plan attached.

SECTION 2. The proposed amendment(s) and the revised Plan shall supersede prior versions of the Plan, and shall supersede all applicable provisions of the municipality's zoning regulations which affect the Property. The official zoning district map included in the zoning ordinance is hereby amended to reflect the proposed amendment(s) and the revised Plan.

SECTION 3. All other ordinances or parts or ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency herewith.

SECTION 4. The provisions of this ordinance are separable. If any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance by any court of competent jurisdiction, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair the validity, enforceability or applicability or any of the remaining provisions, clauses, sentences, subsections or words contained in this ordinance.

SECTION 4 5. This ordinance shall take effect upon final passage and publication as provided by law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2021-26 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

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MELODY HARTSGROVE  
CITY CLERK

## Background

### Area In Need of Redevelopment Designation

The Asbury Park City Council authorized the Planning Board to conduct a preliminary investigation of Main Street, Asbury Park in September of 2003. The Main Street Redevelopment Study was prepared by Heyer Gruel & Associates, the Planning Board's professional planning consultant. The investigation concluded that the Main Street Study Area meets the criteria necessary in order to be declared a redevelopment area.

The City Council reviewed the Planning Board's recommendations starting on March 17, 2004. The City Council concurred with the Planning Board's findings that the properties identified in the study met the statutory criteria necessary to be declared an Area in Need of Redevelopment. However, the Council also found that certain properties within the study area contain exclusively residential structures (no commercial uses in the structures). The City Council determined that these exclusively residential properties should be removed from consideration as part of a Main Street Redevelopment Area as Main Street is primarily commercial in nature, that the exclusively residential properties identified in the study do not have an adverse effect on the Main Street corridor, and that their exclusion from the Main Street Redevelopment Area would not jeopardize the effective redevelopment of the Main Street corridor.

On April 7, 2004, the City Council adopted a Resolution declaring the Main Street Study Area an Area in Need of Redevelopment, minus the exclusively residential properties. The City Council also directed the City Redevelopment Director along with other appropriate City staff to prepare a redevelopment plan for the Main Street Redevelopment Area. The City hired the firms of Urban Partners, Brown & Keener, and Charles Carmalt Transportation Planner to undertake the redevelopment planning process.

### REHABILITATION DESIGNATION, CRITERIA & PURPOSE

Block 2503 Lots 2-6 are part of an area of rehabilitation and are included in this redevelopment plan as such.

Rehabilitation is commonly recognized as a process governed by the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) ("the Law") that is undertaken in accordance with a rehabilitation plan adopted by the municipality. The Law defines rehabilitation as "the repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area." An area may be designated in need of rehabilitation by the local governing body if it is determined that the area exhibits any of the following conditions:

1. A significant portion of structures in the area is in deteriorated or substandard condition;
2. More than half of the housing stock in the delineated area is at least 50 years old;
3. There is a pattern of vacancy, abandonment or underutilization of properties in the area;
4. There is a persistent arrearage of property tax payments on properties in the area;
5. Environmental contamination is discouraging improvements and investment in properties in the area; or
6. A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is need of repair or substantial maintenance.

The designation of an area in need of rehabilitation may cover a neighborhood, other delineated area or, at times, an entire municipality. The City of Asbury Park has had a city wide designation as an area in need of rehabilitation for over 40 years. Unlike the procedures for designating an Area in Need of Redevelopment, no public hearing is necessary for a rehabilitation designation. Similarly, eminent domain is not allowed for properties in an area designated as in need of rehabilitation. Once an Area in Need of Rehabilitation is designated, the municipality may exercise the following powers:

1. Rehabilitation, repair and improvement of both residential and non-residential structures, done independently or as part of a redevelopment plan or project;
2. Redevelopment and the greater powers associated with the redevelopment designation (except for eminent domain) provided a redevelopment plan is adopted by ordinance for the area in need of rehabilitation; and
3. Tax abatements and exemptions, such as five-year property tax exemptions and abatements pursuant to the procedures and requirements of the Five-Year Exemptions and Abatement Law (N.J.S.A. 40A:21-1 et seq.).
4. In areas that have been designated as Areas in Need of Rehabilitation, municipalities can prepare Rehabilitation Plans and the Governing Body may adopt an Ordinance for that area. Block 2503, Lots 2 through 5 based on the designation of the entire City of Asbury Park as an area in need of rehabilitation, are included in this redevelopment plan which also is a Rehabilitation Plan. In addition, these parcels are in a UEZ zone.

**SPECIFIC ZONING REGULATIONS FOR BLOCK 2503, LOTS 1-5**

Maximum height of 65 feet with an additional penthouse of 12 feet in height permitted. The penthouse shall be no more than 25% of the total roof area and shall be setback from all perimeters of the roof 12 feet.

Large expanses of blank walls shall feature murals to be approved by the municipal public art commission.

**RESOLUTION  
CITY OF ASBURY PARK PLANNING BOARD**

WHEREAS, the City Council of the City of Asbury Park authorized the Planning Board by Resolution Number 2021-100, to undertake a review of proposed amendments to the Main Street Redevelopment Plan, hereinafter referred to as the MSRP or Plan, that will permit all of the lots known as Block 2503, Lots 1-5 located on Monroe Avenue to be included in the MSRP and also permit the development of a five story (60 foot height), with a penthouse, mixed use building on the subject property with affordable housing units (all of which is set forth in complete detail within the annexed Resolution and proposed Amendments) within the Plan pursuant to the requirements set forth in N.J.S.A. 40A:12A-7e; and

WHEREAS, said statute requires that the Planning Board prepare and transmit a report back to the Governing Body; and

WHEREAS, said statute further requires that the report of the Planning Board include an identification of any provision or provisions set forth in the proposed amendments to the MSRP that are inconsistent with the City Master Plan and contain recommendations concerning those inconsistencies and any other matters as the Board deems appropriate; and

WHEREAS, the Board conducted a public hearing on May 3, 2021, on the proposed amendments, at which hearing the amendments were presented on behalf of the Governing Body of the City of Asbury Park by Michele Alonso, Director of Planning and Redevelopment; and

WHEREAS, members of the public were afforded the opportunity to testify at the meeting on the proposed amendments; and

WHEREAS, the Board finds that the proposed amendments are consistent with the City Master Plan and the MSRP.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the City of Asbury Park that it hereby recommends the adoption of the proposed amendments with the following recommendations being incorporated therein and the foregoing finding that the proposed amendments are consistent with the City Master Plan and the goals and objectives of the MSRP; and

BE IT FURTHER RESOLVED that the Board hereby directs the Board Secretary to transmit this Resolution (and the attachment) as the Report of the Board to the Clerk of the City of Asbury Park pursuant to the Statute first mentioned above forthwith.

The recommendations of the Board are as follows:

1. The Board recommends that the proposed penthouse be limited in square footage to 25% of the roof area and that it be set back from the perimeter of the roof at least 12 feet, similar to the limitations for penthouses within the CBD Plan.

Eric Galipo offered a motion to authorizing the foregoing action of the Board which motion was seconded by Barbara Krzak.

The members of the Board who voted in favor of the foregoing action of the Board are authorized to vote for the adoption of this Resolution. They are Michael Manzella, Barbara Krzak, Rick Lambert, John Moor, Jennifer Souder, Jim Henry, Alexis Taylor, Yvonne Clayton and Eric Galipo.

*Ayes: Mayor John Moor, Councilwoman Yvonne Clayton, Michael Manzella, Jennifer Souder, Jim Henry, Alexis Taylor, Eric Galipo, Rick Lambert and Barbara Krzak.*

Nays: *none*

Abstain: *none*

May 17, 2021

\_\_\_\_\_  
Irina Gasparyan, Board Secretary

I certify this to be a true copy of the written Resolution adopted by the City of Asbury Park Planning Board on May 17, 2021.

\_\_\_\_\_  
Irian Gasparyan, Board Secretary



**Asbury Park, New Jersey  
ORDINANCE NO. 2021-20**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER XXX, ENTITLED  
“LAND DEVELOPMENT REGULATIONS,” OF THE CODE OF THE CITY OF  
ASBURY PARK, NEW JERSEY.**

**WHEREAS**, the Asbury Park Planning Board (the “Planning Board”) adopted a Master Plan & Master Plan Reexamination Report in December 2017 that includes land use and housing objectives and recommendations; and

**WHEREAS**, the Master Plan & Master Plan Reexamination Report recommended certain revisions to the Code of the City of Asbury Park (the “City Code”) regarding, among other things, landscaping, lighting, fences, and signs; and

**WHEREAS**, the City of Asbury Park (the “City”) retained the Planning firm of Clark Caton Hintz to work on the recommended revisions to the City Code with the Master Plan and Zoning subcommittee (the “Committee”) comprised of members of the Planning Board, the Zoning Board of Adjustment, the Governing Body and staff of the Department of Planning and Redevelopment; and

**WHEREAS**, the Committee and the Planning Board have recommended the adoption of certain amendments (collectively referenced as the “proposed amendments”) to the City’s existing Land Development Regulations, as contained in Chapter XXX of the City Code, as set forth in the attached Exhibits; and

**WHEREAS**, on August 12, 2020, the Mayor and Council authorized the referral of the proposed amendments to the Planning Board pursuant to the New Jersey Municipal Land Use Law, specifically N.J.S.A. 40:55D-26; and

**WHEREAS**, the Planning Board conducted public hearings on the proposed amendments on October 5, 2020 and December 7, 2020; and

**WHEREAS**, on January 11, 2001, the Planning Board adopted a Resolution finding the proposed amendments to be consistent with the Master Plan and referring the proposed amendments back to the Mayor and Council for further consideration; and

**WHEREAS**, the Mayor and Council now wish to approve and adopt the proposed amendments (as set forth below and in the attached Exhibits), and to revise the City Code accordingly.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Asbury Park, Monmouth County, State of New Jersey, that Chapter XXX, entitled “Land Development Regulations,” of the City Code is hereby amended in the following respects:

**SECTION 1.** Section 30-15 (“Definitions”) of the City Code shall be amended in order to incorporate the revisions shown in the attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 2.** Section 30-61 (“Signs”) of the City Code shall be amended in order to replace the

existing language in its entirety with the language set forth in the attached Exhibit A.

**SECTION 3.** Section 30-56 (“DESIGN STANDARDS-GENERAL”) of the City Code shall be amended in order to incorporate the revisions shown in the attached Exhibit B (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 4.** Section 30-56.4 (“Lighting”) of the City Code shall be amended in order to incorporate the revisions shown in the attached Exhibit B (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 5.** Section 30-57.5 (“Open Space”) of the City Code shall be amended in order to incorporate the revisions shown in the attached Exhibit B (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 6.** Sections 30-57.6 (“Parking and Loading Standards”), 30-57.7 (“Signs”), and 30-57.8 (“Fences or Walls”) of the City Code are hereby eliminated in their entirety, and the existing language of those Sections shall be amended in order to incorporate the revisions shown in the attached Exhibit B (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 7.** Section 30-57.12 (“Street Tree, Landscape and Planting Requirements”) of the City Code shall be amended in order to incorporate the revisions shown in the attached Exhibit B (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 8.** Section 30-63 (“Fences”) of the City Code shall be amended in order to incorporate the revisions shown in the attached Exhibit B (additions are shown with underline; deletions are shown with ~~strikeout~~).

**SECTION 9. *Severability.***

If any chapter, section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the chapter, section, paragraph, subsection, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

**SECTION 10. *Effective Date.***

This ordinance shall take effect immediately upon its passage and publication in accordance with law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

**SECTION 11. *Repealer.***

All ordinances or parts thereof that are inconsistent with this ordinance shall hereby be deemed repealed to the extent of such inconsistency.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of

ORDINANCE NO. 2021-20 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

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MELODY HARTSGROVE  
CITY CLERK

## EXHIBIT A

### Draft Sign Regulation Update for Asbury Park

Replace/Add the following definitions:

#### §30-15 DEFINITIONS

**ABANDONED OR DISCONTINUED SIGN OR SIGN STRUCTURE** - A sign or sign structure whose owner has failed to operate or maintain said sign or sign structure for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign or sign structure.

A. A sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed; or

B. A sign which is blank.

**LUMINANCE** - The amount of light coming from a sign expressed as a measurement of the brightness of a sign face of either the light that is emitted by, or reflected from, the surface of the sign. Luminance is measured in units called "candela" per square meter ( $\text{cd}/\text{m}^2$ ) and is informally known as a "nit". One nit = one  $\text{cd}/\text{m}^2$ .

**NIT**- Luminance measured in units called candela per square meter ( $\text{cd}/\text{m}^2$ ) and informally known as a "nit". One nit = one  $\text{cd}/\text{m}^2$ .

**SIGN** - Any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of or identify the purpose of any person or entity, or to communicate information of any kind to the public. The term "sign" includes sign structure. The following shall not be considered signs subject to the regulations of this chapter: artwork, holiday or seasonal decorations, cemetery markers, machinery or equipment signs, memorial signs or tablets.

**SIGN, ANIMATED** - A sign which includes action, motion, or color changes, or the optical illusion of action, motion or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn.

**SIGN AREA** - The total area, as measured in square feet, of a sign surface, including all parts thereof devoted to the background including all borders and trim, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto. The area of a sign on an awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign. Supports that are not part of the sign face and contain no messaging shall not be included in the sign area calculation.

**SIGN, AWNING** - See "canopy sign."

SIGN, BANDIT - See "snipe sign."

BANNER - Any sign or string of one or more signs, usually made of fabric or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. This includes "feather banners". Flags shall not be considered banners.

BILLBOARD - A sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

SIGN, BLADE - A type of projecting sign that is mounted perpendicular to the building façade.

SIGN, BUILDING or WALL - Any sign erected, constructed or maintained on a building with the principal support of said sign being that building with its face in a parallel plane with the plane of the building facade or wall, that does not extend above the height of the vertical wall or eaves.

SIGN, CANOPY - Any sign that is a part of or attached to an awning or canopy, i.e., a fabric, plastic or structural protective cover constructed over a door, entrance, window or outdoor service area that is constructed as an integral part of a building.

SIGN, CONSTRUCTION - A temporary, on-premises sign identifying an approved development during the construction phase of a project prior to completion of the work for which permission was granted containing sign copy that is limited to the development activity and identifying the owner/developer, contractors/subcontractors, designers, financiers or sponsors.

SIGN, DIRECTIONAL - A noncommercial on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message (e.g., (entrance," "exit," "caution," "no parking". "one way", "no trespassing," and the like).

SIGN, DOUBLE-FACED - A single sign with copy on both sides of the sign and mounted as a single structure.

SIGN FACE -The part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose.

SIGN, FLASHING - A sign which permits light to be turned on or off intermittently more frequently than once per minute or any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a LED (light-emitting diode) or digital sign, and changes more frequently than once per minute.

SIGN, FREESTANDING - A sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

**SIGN, FUTURE DEVELOPMENT** - A sign that functions to advertise the future or proposed development of the premises upon which the sign is erected.

**SIGN HEIGHT** - The vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

**SIGN, ILLEGAL** -Any sign which was unlawfully erected or which has been determined to be in violation of any provision of Article XII of the Asbury Park City Land Development Ordinance.

**SIGN, ILLUMINATED** - Any sign or portion thereof that is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

**SIGN, INCIDENTAL** - A sign not exceeding one square foot in size attached to a freestanding sign or affixed to a wall that either:

A. Identifies credit cards accepted by the owner, tenant or occupant of the lot where the incidental sign is located; or

B. Provides an official notice of services required by law or trade affiliation.

**SIGN, INTERMITTENT** - A sign which permits light to be turned on or off intermittently more frequently than once every 24 hours or which is operated in a way whereby light is turned on or off intermittently more frequently than once every 24 hours, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a LED (light-emitting diode) or digital sign, and that varies in intensity or color more frequently than once every 24 hours.

**SIGN MAINTENANCE** - Replacing, repairing or repainting a portion of a sign structure, or periodically changing copy or renewing copy, which has been made unusable by ordinary wear.

**SIGN, NAMEPLATE or OCCUPANT IDENTIFICATION**- A sign indicating the name and/or profession or address of a person or persons residing or legally occupying the premises.

**SIGN, NONCONFORMING** - A sign that was lawfully erected but no longer conforms to the regulations provided in Chapter 30 of the Asbury Park City Land Development Regulations.

**SIGN, OFF-PREMISES or OFF-SITE** - Any sign relating in its subject matter to commodities, accommodations, services or activities on premises other than the premises on which the sign is located.

**SIGN, PERMANENT** -Any sign which, when installed, is intended for permanent use. For the purposes of this chapter, any sign with an intended use in excess of six months from the date of installation shall be deemed a permanent sign.

**SIGN, PORTABLE** -Any sign, banner or poster that is not permanently attached to the ground or structure. For purposes of this chapter, an inflatable sign shall be considered a portable sign.

**SIGN, PROJECTING** – A sign mounted perpendicular to the building façade.

**SIGN, REAL ESTATE** - A sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.

**SIGN, REVOLVING or ROTATING** - Any sign that revolves or rotates.

**SIGN, ROOF** -Any sign erected and constructed wholly on or over the roof of a building which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building. For purposes of this definition, "roofline" shall mean the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal eave or the highest line common to one or more principal eaves of a roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

**SIGN, SAFETY** -See "warning sign."

**SIGN, SANDWICH BOARD** - A temporary, portable, double-faced, freestanding sign in an "A-Frame" configuration and that is supported only by the two panels that also serve to display the message(s), or the legs that serve as the frame for display panels. Such signs shall not include any supporting elements separate from the display panels themselves.

**SIGN, SNIPE (BANDIT SIGN)** - Any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, rocks or other natural features, or poles, stakes or fences with the message appearing thereon not applicable to the present use of the premises upon which the sign is located. This shall not include warning signs such as "no trespassing" signs or "no hunting" signs.

**SIGN, SPECIAL EVENT** - A sign, regardless of its content, providing notice of or direction to an event, gathering, assembly or meeting that is open to the public at large.

**SIGN, STATUTORY**- A sign required by any statute or regulation of the State of New Jersey or United States.

**SIGN, STREET ADDRESS** -Any sign denoting the street address of the premises on which it is attached or located.

**SIGN STRUCTURE** - Any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports or other components attached to or placed around the sign structure.

**SIGN, TEMPORARY** -A sign intended for a use not permanent in nature. A sign with an intended use of 60 days or less shall be deemed a temporary sign, unless specified otherwise herein.

**SIGN, TRAFFIC CONTROL DEVICE** - Any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the national standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational or cultural information).

**SIGN, VEHICLE** - Any sign or signs where the total sign area covers more than 10 square feet of the vehicle.

**SIGN, VIEWPOINT** - A sign communicating information or views on matters of public policy or public concern or containing any other noncommercial message, that is otherwise lawful. Viewpoint signs are exempt from content regulations within the scope of protected speech; and any other requirements in conflict with federal and state common law protecting expressive activity and viewpoint communication.

**SIGN, WARNING or SAFETY SIGN** - A sign that functions to provide a warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that functions to provide a warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

**SIGN, WIND** - A sign which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include banners, pennants, ribbons, spinners, streamers or captive balloons; however, the term "wind signs" shall not include flags.

**SIGN, WINDOW** - Any sign mounted in any fashion on the interior or exterior of the surface of a window.

Delete the following existing definitions:

#### **BANNER**

~~shall mean any sign of lightweight fabric or similar material that is mounted on a pole, a building, or any other mounting. National flags, State or municipal flags, the official flag of any institution or business, or other officially recognized flags shall not be considered banners.~~

#### **MARQUEE**

~~shall mean any permanent roof-like structure located at an entry to an entertainment establishment that projects beyond the building or extends along and projects beyond the wall of a building, generally designed and constructed to provide protection from the weather, and any sign attached to or made part of such structure.~~

#### **SIGN**

~~shall mean a name, identification, description, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or piece of land, directing attention to a product, business, service or individual. However, a sign shall not include a display of official, court or public notices, any official traffic control device and shall not include the flag, emblem or insignia of a nation, State, County, municipality or religious group. A sign shall not include a sign located completely within an enclosed building, except if it is visible and directed to be seen from outside the building. Each display surface of the sign shall be considered to be a single sign; except that where two (2) such surfaces of a sign are physically attached, parallel and separated by less than twelve (12) inches, the two (2) surfaces shall be considered a single sign. The sign area shall be measured according to the dimensions of the frame. Where there is no frame, the area shall be defined by a projected, enclosed, four (4) sided (straight sides) geometric shape which most closely outlines the sign.~~

#### **SIGN, ADVERTISING**

shall mean a sign, structure, symbol or billboard erected and maintained by an individual or corporation engaged in the sale or rental of space thereon to a clientele upon which space there is displayed advertising copy describing in a wide variety of products or services, which are not produced, assembled, stored or sold from the lot or premises upon which the advertisement is displayed.

#### **SIGN, ANIMATED**

shall mean any sign that uses movement or change of lighting to depict action or create a special effect or scene.

#### **SIGN, BUILDING**

shall mean any sign attached to any part of a building, as contrasted with a freestanding sign.

#### **SIGN, CANOPY**

shall mean any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

#### **SIGN, CHANGEABLE COPY**

shall mean a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time and/or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.

#### **SIGN, CONSTRUCTION**

shall mean a sign erected on the premises where construction is taking place or approved to take place, indicating the name and contact information of the developer and also may indicate the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

#### **SIGN, FREESTANDING**

shall mean any sign supported by structures or supports that are placed on, anchored in, the ground and that are independent from any building or other structure.

#### **SIGN, IDENTIFICATION**

shall mean any sign, symbol, trademark, structure or similar device used to identify the occupant of any structure, the product made or the activity being pursued by an individual, business, service, commercial or industrial activity which is displayed upon the lot or premises occupied by a person or entity for the purpose of apprising the public of the location of such enterprise and the type of activity in which it is engaged.

#### **SIGN, INCIDENTAL**

shall mean a sign, generally informational, that has a purpose secondary to the use of the property on which it is located, such as "no parking," "entrance," "loading only," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

#### **SIGN, NONCONFORMING**

shall mean any sign that does not conform to the requirements of this chapter.

#### **SIGN, PORTABLE**

shall mean any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked or visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

#### **SIGN, REAL ESTATE**

shall mean a sign pertaining to the lease, rental or sale of the premises, or a portion of the premises on which the sign is located.

#### **SIGN, RESIDENTIAL**

shall mean any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods and services legally offered on the premises where the sign is located, if offering such goods or services at such location conforms with all requirements of the Land Development Regulations.

#### **SIGN, ROOF**

shall mean any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.

#### **SIGN, ROOF, INTEGRAL**

shall mean any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

#### **SIGN, SUSPENDED**

shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

#### **SIGN, TEMPORARY**

shall mean any sign that is used only temporarily and is not mounted permanently.

**SIGN, WALL**

~~shall mean any sign attached parallel to, but within six (6) inches of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.~~

**SIGN, WINDOW**

~~shall mean any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.~~

Replace the entirety of §30-61 Signs as follows:

**§30-61 Signs****§30-61.1 Purpose and Intent**

It is the purpose of this article to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this article are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech, and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety. In order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the City is a highly contributive means by which to achieve this desired end. These sign regulations have been prepared with the intent of protecting and enhancing the visual character of the City and promoting its continued well-being, and are intended to:

- A. Encourage the effective use of signs as a means of communication in the City;
- B. Maintain and enhance the aesthetic character, both visually and spatially, and the City's ability to attract sources of economic development and growth;
- C. Improve pedestrian and traffic safety;
- D. Minimize the possible adverse effect of signs on nearby public and private property;
- E. Foster the integration of signage with architecture and landscape design;
- F. Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;

- G. Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- H. Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- I. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- K. Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- L. Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- M. Regulate signs in a manner so as to not interfere with, obstruct the vision of, or distract motorists, bicyclists or pedestrians;
- N. Except to the extent expressly preempted by State or Federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- O. Preserve, conserve, protect and enhance the aesthetic quality and scenic beauty of all districts of the City;
- P. Allow for traffic control devices consistent with national and State standards and whose purpose is to promote roadway safety and efficiency by providing for the orderly movement of users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- Q. Protect property values by precluding to the maximum extent possible sign types that create a nuisance to the occupancy or use of other properties as a result of their location, size, height, illumination, brightness or movement;
- R. Protect property values by ensuring that sign types, as well as the number of signs, are in harmony with buildings, neighborhoods and conforming signs in the area;
- S. Regulate the appearance and design of signs in a manner that promotes and enhances the aesthetic character of the City and that compliments the surroundings in recognition of the City's reliance on its surroundings and beautification efforts in retaining economic advantage;
- T. Preserve and enhance the character of the City;
- U. Enable the fair and consistent enforcement of these sign regulations; and
- V. Ensure signs do not alter the function of buildings.

### §30-61.2 Permitted Accessory Use

Signs shall be permitted as accessory uses in all zoning districts within the jurisdiction of this ordinance. Signs may be used, erected, maintained, altered, relocated, removed, or demolished only in compliance with the provisions of this section and any and all other ordinances and regulations of the municipality relating to the use, erection, maintenance, alteration, moving, or removal of signs or similar devices. In the event of conflicting regulations, the most restrictive shall apply.

### §30-61.3 Prohibited signs

The following signs and sign types are prohibited within the City and shall not be erected. Any lawfully existing permanent sign or sign type that is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of §30-61.3

- A. Billboards.
- B. Revolving signs.
- C. Flashing, sparkling or glittering signs or signs having accent lights that flash, sparkle or glitter.
- D. Animated signs.
- E. Wind signs.
- F. Portable signs, except for those specifically permitted (i.e. sandwich board sign).
- G. Roof signs.
- H. Abandoned and discontinued signs.
- I. Snipe signs; bandit signs.
- J. Projecting signs, except as expressly allowed.
- K. Bus bench advertising signs; bus shelter advertising signs that exceed 25% of the area of the vertical face of a bus shelter structure.
- L. Signs that emit smoke, visible vapor or smoke, sound, odor, or visible particles or gaseous matter.
- M. Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- N. Signs within a sight triangle.
- O. Signs in the public right-of-way, other than traffic control device signs, warning signs, safety signs, or those specifically permitted, such as a sandwich board sign. Signs placed illegally in such locations shall be subject to removal by the City.

- P. Signs other than a traffic control sign that use the word "stop" or "danger" or present or imply the need or requirement of stopping or the existence of danger, or which copy or imitate any official traffic control device signs, and which are adjacent to the right-of-way of any road, street or highway.
- Q. Signs prohibited by State or Federal law.
- R. Vehicle sign or signs that have a total sign area on any vehicle in excess of 10 square feet, when the vehicle is not regularly used in the conduct of the business or activity advertised on the vehicle, and is visible from a street right-of-way within 100 feet of the vehicle, and is parked for more than five consecutive hours within 100 feet of any street right-of-way. A vehicle shall not be considered "regularly used in the conduct of the business or activity" if the vehicle is used primarily for advertising, or for the purpose of advertising, or for the purpose of providing transportation for owners or employees of the business or activity advertised on the vehicle.
- S. Signs located on real property without the permission of the property owner.
- T. Beacon signs, except as required by Federal or State law.
- U. Intermittent signs.
- V. Signs located, painted or affixed on a bridge, abutment, walls, fences, water tower, storage tower, communications tower, other utility or any accessory structure that are visible from a public street or roadway or from an adjacent residential use.
- W. Signs with changeable copy/graphics that exhibit any one of the following characteristics:
  - (1) Change more frequently than once every 24 hours.
  - (2) Exceed 12 square feet in area.
  - (3) Are accessory to a principal use that is not specifically permitted.
  - (4) Would otherwise constitute a prohibited or nonconforming sign.
  - (5) Transition between messages using scrolling, fading, dissolving, pixilation, zooming, wiping, moving copy or any graphic effect other than an instantaneous static replacement of the message.
  - (6) Contain/exhibit more than a single color of copy/graphics.
  - (7) Contain/exhibit more than a single-color background.
  - (8) Contain/exhibit a background color that is lighter in contrast to the copy/graphics color.
  - (9) Contain/exhibit copy consisting of more than a single font type.
  - (10) Are located in a residential district.
- X. Banners, except in the case of temporary "grand opening" events as regulated herein.

- Y. ~~Signs painted directly on a building.~~ Signs containing a message that states or implies that a property may be used for any purpose not permitted in the zoning district or by duly authorized variance in which said sign is located under the provisions of this Ordinance.
- Z. Public property and rights-of-way. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to removal. In addition to other remedies that may be imposed under this Ordinance, the City shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such sign. No sign other than traffic control or similar official governmental signs shall be erected within or project over the right-of-way of any public street or sidewalk, except as hereinafter provided.

#### §30-61.4 Nonconforming signs.

A nonconforming sign that was lawfully erected may continue to be maintained until the nonconforming sign is substantially damaged or destroyed. Should the structure of a nonconforming sign be removed, the entirety of the sign may be replaced only in conformance with the regulations herein. At such time that the nonconforming sign is substantially damaged or destroyed, the nonconforming sign must either be removed or be brought into conformity with this subsection and with any other applicable law or regulation.

#### §30-61.5 Exemptions.

- A. A sign, other than a window sign, located entirely inside the premises of a building or enclosed space that is not placed parallel to front window and is not placed within three feet of a window.
- B. A sign on a car, other than a prohibited vehicle sign or signs.
- C. A statutory or municipal sign.
- D. A traffic control device sign.
- E. Any sign not visible from a public street, sidewalk or right-of-way, except that the foregoing does not exempt a sign for a commercial use that is visible from an abutting residential property or use.

#### §30-61.6 Permits.

- A. Construction permits. It shall be unlawful for any person or business or the person in charge of the business to erect, construct or alter a permanent sign structure whose construction is subject to the New Jersey Uniform Construction Code, without first obtaining such building permit from the City as may be required by the New Jersey Uniform Construction Code. Permit fees, if any, shall be paid in accordance with the

applicable fee schedule. The requirement of a building permit under the New Jersey Uniform Construction Ordinance is separate and independent of the requirement for a sign permit under this article.

B. Sign permits.

- (1) Allowed temporary signs, except for special event signs, of the type described in §30-61.12 of this subsection shall be exempt from sign permitting hereunder. Temporary special event signs shall require a permit.
- (2) Allowed permanent signs of the type described in §30-61.14 of this section shall be exempt from sign permitting hereunder.
- (3) No sign permit shall be issued for the erection of a prohibited sign.
- (4) Unless exempt from permitting as provided in §30-61.14 of this article, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from, and the appropriate fee, if any, is paid to, the City.
- (5) A sign lawfully erected under permit may be repainted or have ordinary and customary repairs performed without a new sign permit; however, if such sign is to be structurally altered in any manner, a new sign permit shall be required, and the altered sign must meet all requirements of this article and this chapter.

C. Sign permit application and issuance of sign permit.

- (1) A sign permit application shall be made upon a form provided by the City. The sign permit application is in addition to any building permit application required by the New Jersey Uniform Construction Ordinance. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by this article or this chapter. The applicant shall furnish the following information on or with the sign permit application form:
  - (a) The block, lot and street address of the real property where the sign is proposed to be located.
  - (b) The zoning district for the real property on which the sign will be located.
  - (c) The name, mailing address and telephone number ~~(where available)~~ of the owner(s) of the real property where the sign is proposed to be located.
  - (d) A statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
  - (e) The name, mailing address and telephone number of the sign contractor ~~(if known)~~.
  - (f) Type of proposed sign (e.g., wall sign or freestanding sign).
  - (g) The proposed sign area.
  - (h) If the proposed sign is a freestanding sign:

- [1] The height of the proposed freestanding sign.
- [2] The sign area of the freestanding sign and the dimensions utilized to calculate the size.
- [3] The distance between the closest existing freestanding sign and the proposed freestanding sign as measured in each direction along each abutting street or right-of-way.
- [4] The location, height and area of any existing freestanding sign on the same lot where the proposed freestanding sign will be located.
- [5] The front and side yard setbacks for the proposed sign.
- (i) If the proposed sign is an attached sign, building elevation(s), to scale, of the building façade for the building to which the attached sign shall be affixed.
- (j) The number, type, location and surface area for all existing signs on the same lot and/or building on which the sign will be located.
- (k) Whether the proposed sign will be an illuminated or non-illuminated sign.
- (l) For an illuminated sign:
  - [1] Externally illuminated signs shall have details and specifications for the type, model, performance and placement (relative to the sign face) of light fixtures used to illuminate a sign relative to the luminance requirements of §30-61.17
  - [2] Internally or directly illuminated signs (i.e. digital) shall have details and specifications for the type, model and performance relative to the luminance requirements of §30-61.17
- (2) An applicant shall deliver a sign permit application for a permanent sign to the City's Zoning Officer or his or her designee, or such other person as designated by the City. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this subsection and any applicable zoning law. The review of the sign permit application shall be completed within 10 business days from the date of receipt of the application, and the application shall be granted or denied within that time frame. In the event that no decision is rendered within 10 business days following submission, the application shall be deemed granted; however, the application shall be deemed denied if the application is for a prohibited sign, and the applicant may appeal to the Board of Adjustment pursuant to the MLUL.

#### D. Fees.

- (1) Sign permit fees. Every person making an initial application for a sign permit shall pay a sign permit fee to the City at the time of the application. This sign permit fee shall be \$25.00.
- (2) Building permit fees distinguished. The sign permit fee, if any, shall be separate and apart from any required fee for a building permit for the erection of a sign covered by the New Jersey Uniform Construction Code.

E. Conditions.

- (1) Duration of permit. If the work authorized under a sign permit has not been completed within 180 days after the date of issuance, the permit shall become null and void and a new application for a sign permit shall be required.
- (2) Maintenance of signs.
  - (a) All visible portions of a sign and its supporting structure shall be maintained in a safe condition and neat appearance according to the following:
    - [1] If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner.
    - [2] If the sign is painted, the painted surface shall be kept in good condition.
    - [3] Every sign shall be kept in such manner as to constitute a complete or whole sign.
- (3) Unlawful cutting of trees or shrubs. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs or other vegetation located:
  - (a) Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the City or agency having jurisdiction over the streets.
  - (b) On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located.

§30-61.7. Revocation of Sign Permit

- A. Causes for Revocation. A permit to erect or maintain a sign may be revoked for any one or more of the following:
  - 1. Whenever the application used in obtaining a permit is knowingly false or misleading.
  - 2. Whenever any of the provisions of this chapter are violated.

3. Whenever a licensed sign structure is not being maintained in a safe, sound and good condition.
- B. Removal of a Sign, Advertising Structure, Space or Wall. When a permit for a sign is revoked, the permittee shall remove the sign, advertising structure or space in accordance with the time specified by the Zoning Officer.
  1. Failure to Remove. Whenever a person fails to remove an advertising structure or space after the expiration date of the removal notice, legal proceeding may be instituted against the person, or the power of removal may be exercised.
  2. City Removal; Costs. Whenever the removal power is exercised for the elimination of a violation, the cost and expense incurred may be charged against the person responsible for it. A bill rendered for the cost of the removal shall bear legal interest charges and collection shall be made accordingly.

#### §30-61.8 Content neutrality as to sign message (viewpoint).

Notwithstanding anything in this article or this chapter to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

#### §30-61.9 Substitution of noncommercial speech for commercial speech.

Notwithstanding anything contained in this article or this chapter to the contrary, any sign erected pursuant to the provisions of this article or this chapter with a commercial message may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from a commercial to a noncommercial message, or from one noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign type, and provided that the size, height, setback and other dimensional criteria contained in this article and this chapter have been satisfied.

#### §30-61.10 Setback measurement.

Required setbacks for signs in all zoning districts shall be measured from the property line to the nearest part of the sign. Freestanding signs are only permitted in front yards.

#### §30-61.11 Double-faced signs.

Double-faced signs shall be permitted in all zoning districts, provided the signs are designed and constructed such that the two sign faces are back to back with a maximum distance of 18

inches between the two sign faces and directionally oriented 180 degrees from each other. The maximum permitted sign area is permitted for each sign face.

§30-61.12 Temporary on-site special event signs.

- A. Temporary on-site special event signs shall be permitted in all districts, provided they have been approved by the Zoning Officer as meeting the following content-neutral criteria:
  - (1) The signs are temporary signs for a limited time and frequency, limited to one per event;
  - (2) The signs are for a special event as defined herein (see special event sign);
  - (3) The temporary signs will not exceed 24 square feet in sign area and six feet in height;
  - (4) The temporary signs will not conceal or obstruct adjacent land uses or signs;
  - (5) The temporary signs will not conflict with the principal permitted use of the site or adjoining sites;
  - (6) The temporary signs will not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
  - (7) The temporary signs will be installed and maintained in a safe manner; ~~and~~
  - (8) The display of temporary signs for a special event shall not begin any earlier than three weeks before the event and shall be removed within two business days after the event.
  - (9) Special events sign displays shall not exceed three per property per calendar year for a maximum duration of two weeks per event.
  - (10) Grand opening signs, a type of special event sign, shall be permitted as follows:
    - (a) For a period not to exceed thirty calendar days
    - (b) Shall not be freestanding
    - (c) Shall have a maximum area of 12 square feet.
- B. Consistent with §30-61.7 of this article, approval or disapproval shall not be based on the content of the message contained (i.e. the viewpoint expressed) on such signs. The Zoning Officer shall render a decision within 10 business days after an application is made for such temporary signs. In the event that no decision is rendered within 10 business days following submission, the application shall be deemed granted; however, the application shall be deemed denied if the application is for a prohibited sign, and the applicant may appeal to the Board of Adjustment. Such a decision shall be deemed an administrative interpretation, and any person adversely affected has the right to appeal the decision to the Board of Adjustment pursuant to the Municipal Land Use Law,

Draft Sign Regulations for Asbury Park  
December 10, 2020| 17

N.J.S.A. 40:550-70; however, the appeal shall be accelerated and shall be heard by the Board of Adjustment and determined within 30 business days after the appeal is filed, pursuant to the Municipal Land Use Law, N.J.S.A. 40:550-70.

### §30-61.13 Temporary Special Category Signs

A. Temporary real estate signs permitted in all zones. One non-illuminated, temporary ground sign pertaining to the lease, rental or sale on the same lot or building upon which it is placed and not exceeding nine (9) square feet in area on any one (1) side provided such sign is erected or displayed not less than five (5) feet inside of the property line and shall not be mounted on or attached to trees. This sign must be removed from the premises within seven (7) days after the property is sold or leased. In the case of a building containing three (3) or more dwelling units in a residential zone, a sign as described herein must be removed upon the issuance of certificates of occupancy (CO's) for eighty (80%) percent or more of the dwelling units contained therein. Not more than one (1) such sign shall be permitted for each premises. The maximum duration to display such signs is one year, but this period may be extended via a new application. Such signs shall be exempt from all other provisions of this section.

#### B. Special Category Signs:

| Type                                                                              | Max Size                                             | Max. Height (feet)                               | Max. No.               | Min. Set-Back | Permit Required | Illumination Permitted | Notes/Supplementary Regulations                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------|------------------------------------------------------|--------------------------------------------------|------------------------|---------------|-----------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special Category Signs                                                            |                                                      |                                                  |                        |               |                 |                        |                                                                                                                                                                                                                                             |
| Construction Signs for minor or major developments; ground, pole or wall mounted  | *40 contiguous square feet                           | 8 feet From grade                                | 1 per street front age | NA            | Yes             | No                     | To be placed no sooner than after final approval of the minor or major development project. Such signs must be removed after the issuance of the first temporary or final certificate of occupancy. Must be constructed of a rigid material |
| Construction Signs for minor or major developments mounted on construction fences | *No more Than 25% in contiguous length of the linear | 8 feet from grade or top of fence (which ever is | 1 per street front-age | NA            | Yes             | No                     | To be placed no sooner than after final approval of the minor or major development project. Such signs must be removed after the issuance of the first temporary or final                                                                   |

Draft Sign Regulations for Asbury Park  
December 10, 2020| 18

|                                                                                                                                                                                                                                                                                  |                                                                                                                                                                     |                                                        |                       |    |     |     |                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------|----|-----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                  | frontage of a construction fence along a street frontage                                                                                                            | lower)                                                 |                       |    |     |     | certificate of occupancy. May be used only in lieu of a ground, pole or wall mounted construction sign.                                                                                                                                                                                             |
| Real Estate Signs for minor or major developments: ground, pole or wall mounted.                                                                                                                                                                                                 | 40 contiguous square feet                                                                                                                                           | 8 feet from grade                                      | 1 per street frontage | NA | Yes | No  | To be placed no sooner than after final approval of the minor or major development project. Must be constructed of a rigid material. Must be removed after the sale, lease or rental of 80% or more of the nonresidential and/or residential units contained therein                                |
| Real estate signs for minor or major development: mounted on construction fences                                                                                                                                                                                                 | "No more than 25% in contiguous length of the linear frontage of a construction fence along a street frontage.                                                      | 8 feet from grade or top of fence (whichever is lower) | 1 per street frontage | NA | Yes | Yes | To be placed no sooner than after final approval of the minor or major development project. May be used only in lieu of a ground or pole mounted real estate sign. Must be removed after the sale, lease or rental of 80% or more of the nonresidential and/or residential units contained therein. |
| Building wrap signs for minor or major developments                                                                                                                                                                                                                              | Shall not extend beyond the exterior building wall Text may not exceed 10% of the area of the sign or 400 square feet, whichever is less, along any street frontage | NA                                                     | 1 per street frontage | NA | Yes | No  | To be placed only after completion of the structural framing of a building Must be removed after completion of the exterior building wall. Building wrap signs shall display a graphic reproduction of the completed building facade located behind the sign                                        |
| *The combined area of construction signs and real estate signs which are ground, pole or wall mounted shall not exceed 40 square feet along any street frontage. If both sign types are proposed along a <b>street</b> frontage, they shall be combined into a single sign board |                                                                                                                                                                     |                                                        |                       |    |     |     |                                                                                                                                                                                                                                                                                                     |

\*The combined length of construction signs and real estate signs which are mounted on construction fences shall not exceed 25% of the linear frontage of the construction fence along any street frontage. If both sign types are proposed along a street frontage, they shall be combined to create a single sign.

### §30-61.14 Signs Permitted As-of-Right Without Permits

- A. Street address signs. For each lot, residence or business, one street address sign may be displayed. For each residence, the street address sign shall not exceed two square feet in sign area unless required by applicable law. For each business or lot in nonresidential use, the street address sign shall not exceed six square feet in sign area unless required by applicable law.
- B. Nameplate or occupant identification signs. For each residence, business or other occupancy, one nameplate sign may be displayed. Nameplate or occupant identification signs shall not exceed two square feet in sign area.
- C. Directional signs. Noncommercial, on-site directional signs, not exceeding 2.5 square feet in sign area and 3.5 feet in height, shall be allowed on each lot.
- D. Parking space signs. Noncommercial on-site parking space number signs, not exceeding one square foot of sign area, shall be for a noncommercial use having multiple parking spaces on site. One such sign shall be allowed for each parking space.
- E. Temporary viewpoint signs. Viewpoint signs may be freestanding or building-mounted. They are permitted in addition to any other sign permitted herein and shall conform to the following requirements:
  - (1) Viewpoint signs in all zones shall not exceed four square feet each in sign area. Freestanding viewpoint signs shall not exceed three feet in height. Building-mounted viewpoint signs shall not be located as to constitute a roof sign, as defined herein. The total combined sign area of the total array or assemblage of signs upon a premise shall not exceed 24 square feet.
  - (2) The maximum permitted duration for a viewpoint sign is 60 days.
  - (3) Viewpoint signs shall not be illuminated, either directly, indirectly or internally.
  - (4) Viewpoint signs shall not have changeable copy.
  - (5) Any viewpoint sign installed or placed on public property including public rights-of-way, excepting such public property, which the City may designate for such use, shall be forfeited to the public and subject to removal and no viewpoint sign shall be placed upon private property except with the consent of the owner or tenant.
  - (6) Viewpoint signs shall not be constructed, held, installed or erected so as to present a hazard to the safe transit of pedestrian or vehicular traffic, or to impede the free and safe ingress or egress from any premises.
- F. Flagpoles. One flagpole is allowed for each lot. A flagpole shall not exceed 35 feet in height and shall be subject to setbacks for principal buildings/structures in the applicable zones in which it is located.
- G. Flags. For each flagpole, two flags not greater than 15 square feet in sign area each may be displayed.

- H. Warning signs and safety signs. Warning signs and safety signs, not exceeding four square feet in sign area, shall be allowed in all districts.
- I. Temporary garage-yard sale signs. For each lot with a lawful residential use, a temporary garage-yard sale sign may be displayed, subject to the following limitations:
  - (1) Number. One temporary garage-yard sale sign may be displayed.
  - (2) Size and height. A temporary garage-yard sale sign shall not exceed four square feet in sign area and three feet in height.
  - (3) Setback. A temporary garage-yard sale sign shall be set back from any lot line by at least five feet.
  - (4) Duration. A temporary garage-yard sale sign may not be displayed for a period longer than three days three times a year.
- J. Government or government agency signs.
- K. "Private Driveway" signs indicating the private nature of a driveway not exceed two (2) square feet in sign area and limited to no more than one per driveway.
- L. Sandwich Board Signs
  - (1) Shall be permitted in non-residential or mixed-use zones only.
  - (2) Shall only be permitted to advertise retail sales, retail service or restaurant.
  - (3) May be located on a public sidewalk and within a public right-of-way.
  - (4) Shall be limited to one sandwich board sign per business property address.
  - (5) Shall be located in close proximity to the public business entrance.
  - (6) Shall be located in such a manner as to maintain a relatively flat pedestrian passage that is not obstructed and has a minimum clear width of five feet.
  - (7) Shall have no illumination.
  - (8) Shall be no higher than 42 inches above the sidewalk.
  - (9) Sign area shall not exceed five square feet.
  - (10) May have a white board/chalkboard for handwritten changeable messages.

§30-61.15 Signs permitted in residential districts (Permits required)

- A. Signs designating entrance or exits to or from a parking area having five or more parking spaces, limited to one (1) sign for each such exit or entrance, with a maximum of two (2) square feet in sign area for each sign.

- B. Signs designating the identity of a parking area having five or more parking spaces and limited to one sign with a maximum size of six (6) square feet in sign area and a maximum height of four feet.

§30-61.16 Signs permitted in nonresidential districts (Permits required)

- A. Number and Size of Exterior Identification Building Signs. A maximum of two signs are permitted per business. The total sign area for all signs, not including window signs that are otherwise permitted, shall not exceed two square feet per linear foot of street frontage, with a maximum area of 40 square feet.
- B. Rear and Side Wall Signs. No signs shall be permitted on rear or side walls when the wall is within 100 feet of a residential use or residential zone line.
- C. Identification projecting signs (blade signs) may be substituted for identification wall signs, as permitted in paragraph A above, provided that no identification projecting sign shall exceed 12 square feet in area on either side or project more than five feet from the wall to which it is attached.
- D. Signs designating entrance or exits to or from a parking area, limited to one sign for each such exit or entrance, with a maximum of two square feet in sign area for each sign.
- E. Signs designating the identity of a parking area having five or more parking spaces and limited to one sign with a maximum size of six square feet in sign area and a maximum height of four feet.
- F. Signs for multi-use and multi-building developments shall comply with the following regulations:
  - 1. Each such development shall submit a Signing Plan for approval. Such Signing Plan shall include details on:
    - (a) Letter style
    - (b) Lighting
    - (c) Color
    - (d) Construction and materials
    - (e) Height of sign(s)
    - (f) Height above grade or below roofline
    - (g) Locations
    - (h) Standards.
  - 2. The Signing Plan shall be based on an integrated design theme to include all of the elements (a) through (h) above. All of the above elements shall be designed to exhibit harmony and consistency among all signs. All signs shall be integrated with

the architecture and materials of the principal building(s) and the landscape design plan.

3. The total area of all signs, not including window signs that are otherwise permitted, shall not exceed two square feet per linear foot of street frontage, with a maximum area of 40 square feet.
- G. Window Lettering and Window Signs. Window lettering and window signs shall be construed as signs, and are subject to the following restrictions:
1. All window lettering and signs shall be located on, or affixed to, the interior facing side of a window.
  2. The sign area of window lettering and signs includes the lettering and any background upon which it appears.
  3. Permanent Window Lettering and Signs. Sign area shall not exceed twenty (20%) percent of the window area. Any painted area of any window shall be construed as window lettering or signs, whether or not such area actually contains letter or advertising.
  4. Temporary window lettering or signs shall be permitted subject to the following restrictions:
    - a. Shall be removed within thirty (30) days after erection;
    - b. Shall not cover, in the aggregate, more than fifty (50%) percent of the window area, including the area of any permanent window lettering or sign;
    - c. Shall not be illuminated, either directly or indirectly.

#### §30-61.17 Sign Illumination; Sign Brightness.

##### A. Requirements for All Illuminated Signs

1. All illuminated signs shall be properly shielded and so located as to prevent glare or blinding effects upon pedestrians, motor vehicle traffic and so as not to cause a nuisance to residents on the premises of their home or on adjacent properties. Upon a finding by the Zoning Officer that a sign creates glare or blinding conditions, the property owner or owner of the sign, as the case may be, shall correct the situation within the period determined by the Zoning Officer. The Zoning Officer may be assisted in such determination by such lighting or visual acuity experts as necessary. Failure to correct the condition or file an appeal within the time specified shall constitute a violation of this Ordinance by the property owner or sign owner, as appropriate.
2. The contrast between the ambient light level of the vehicular cartway closest adjacent to a sign and the illuminance of the sign shall not exceed a ratio of 1:20.

3. Signs shall not be permitted to emit more than fifty percent (50%) of its illumination as the color white or light blue.
4. The level of light being emitted by such sign shall not exceed 0.1 footcandles of luminance from the vertical plane of the sign face at the edge of a vehicular travel lane.
5. Top-mounted fixtures are preferred over any other positioned light fixtures. When top-mounted light fixtures are not feasible for good cause shown, illumination from other positioned light fixtures shall continue to be restricted to the sign area.
6. Visors, baffles, shields or other directional control devices shall be used as necessary to eliminate any spill light and glare from light sources.
7. Illuminated signs shall be turned off between the hours of 10:00 p.m. and 7:00 a.m. the following morning, unless the business or uses advertised are open to the public later than 10:00 p.m. or earlier than 7:00 a.m., in which event any such establishment may keep a sign illuminated during business hours only.

**B. Digital Sign Luminance Standards**

Digital signs are subject to the general requirements of §30-61.17.A. However, should the Zoning Officer determine that a digital sign is exhibiting glare or blinding characteristics as described in §30-61.17.A.1, testing may be required to assess whether a sign meets the following requirement. After testing, signs that do not meet these requirements will be required to address the recommendations of the Zoning Officer in order to satisfy the following maximum permitted luminance standards:

**1. Residential Districts:**

- (a) Nighttime sign luminance shall not exceed 50 nits.
- (b) Daytime sign luminance shall not exceed 3,000 nits.

**2. Non-Residential Districts**

- (a) Nighttime sign luminance shall not exceed 150 nits.
- (b) Daytime sign luminance shall not exceed 3,000 nits.

- C. Digital signs shall have a light sensing mechanism that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set forth herein.
- D. Digital Sign Malfunction Protection. Digital signs are susceptible to malfunctions that can affect the display such that segments flash, pulse, increase in brightness and other erratic optical conditions. Therefore, all digital signs shall be equipped with a mechanism that turns off the display completely in the event of a malfunction until the malfunction is repaired.

### §30-61.18 Administration and enforcement.

- A. The Zoning Officer shall be the enforcing official.
- B. Whenever a temporary sign is erected or maintained in violation of this article, the Zoning Officer may remove the same at any time without notice.
- C. Whenever a temporary sign is erected or posted on public property in violation of this article, the same shall be considered litter and may be removed at any time.
- D. Whenever a permanent sign is erected or maintained in violation of this article or any other provision of this chapter, or whenever in the opinion of the Zoning Officer any sign becomes unsafe or endangers the safety of a building or premises or the public safety, the Zoning Officer shall send a letter by certified mail to the owner of said sign and/or the owner of the premises on which the sign is located, ordering that such sign be brought into conformance or removed in accordance with the period set by the zoning officer. If the sign is not brought into conformity or removed ~~by the end of the thirty-day period~~, the Zoning Officer may cause the same to be removed at the expense of the owner of the sign and the owner of the premises on which the sign is located.
- E. The City may cause any sign or sign structure to be removed summarily and without written notice at the expense of the owner of the sign and the owner of the premises on which the sign is located, if it is an immediate peril to persons or property by virtue of its construction or moorings.

### §30-61.19 Appeals to Board of Adjustment.

Whenever it is alleged that there has been an error in any order, action, decision, determination or requirement by an administrative official in the enforcement and application of any provision contained within this article (including any allegation that an administrative official has failed to act within applicable time frame), the aggrieved party shall file a written appeal with the Board of Adjustment in accordance with the provisions of the Municipal Land Use Law, N.J.S.A. 40:550-70. The appellate decisions of the Board of Adjustment shall be deemed final, subject to judicial review as provided by law.

### §30-61.20 Violations and penalties.

Any person, firm or corporation who shall violate, disobey, omit, neglect or refuse to comply with any provision of this article shall be, upon conviction thereof, liable for any penalties.

### §30-61.21 Effect on existing permits.

Any permit issued prior to the effective date of the adoption of the sign regulations that comprise this article shall remain valid until the earlier of the date that said permit expires by its own terms or one year after the effective date of the adoption of this article.

§30-61.22 Severability.

- A. Generally; severability where less speech results. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article is declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such declaration or holding shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article, even if such severability would result in less speech, whether by subjecting previously exempt signs to this article's permitting requirements, or otherwise.
- B. Severability of provisions pertaining to billboards and other prohibited signs and sign types. Without diminishing or limiting in any way the declaration of severability set forth above or elsewhere in this article, this chapter or in any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article or any other law is declared or held to be unconstitutional or invalid by any court of competent jurisdiction, such declaration or holding shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article that pertains to prohibited signs, including, specifically, the prohibition on billboards and those signs and sign types prohibited and not allowed under §30-61.2 of this article.

## EXHIBIT B

### Design Standards Update for Asbury Park

Replace/Add the following new text:

#### 30-56.4 Exterior Lighting.

Appropriate outdoor lighting shall be provided where necessary for the safety of pedestrians. Outdoor lighting and illuminated signs shall be shielded so that such lighting will not adversely affect abutting property or streets. (2000 Code § 3056.4)

- a. General. Sufficient exterior illumination shall be provided to ensure the safety of persons and security of property between the hours of sunset and sunrise. Lighting shall be designed so as to avoid the creation of hazards to pedestrians, vehicles or nuisances to adjoining property owners or residents. There shall be a preference for lighting that is certified Dark Sky Friendly by the International Dark-Sky Association. The following shall apply to all exterior lighting except for photovoltaic (solar powered) luminaires.
  1. Illumination levels, lamp color, and fixture type shall be coordinated in a consistent approach and shall complement architecture and landscape design.
  2. Lighting shall be designed to provide the greatest degree of legibility of site and building conditions, as perceived by persons entering, occupying and exiting the site by all modes of mobility, through using the lowest possible illumination levels such that sky glow, glare and light trespass are minimized.
  3. All cabling supplying electricity for exterior lighting shall be installed underground that is not building mounted supplied with electricity from cabling.
  4. Lighting fixtures shall be non-glare, full cut-off and fully shielded.
  5. Except for any lighting for security purposes as required by N.J.A.C. 17:16K-10, all lighting for non-residential uses shall be controlled by photoelectric sensors and circuit timers so that lights may be automatically turned off during non-business hours.
  6. The color temperature of exterior light fixtures shall not exceed 2,700 3,000° K. Except for security lighting, all lighting for non-residential uses shall be turned on no earlier than one hour and turned off no later than one hour after established public business hours.
  7. Illumination levels shall not exceed 0.1 foot-candles at the property line.
- b. Specific Requirements for Parking Lots.
  1. Exterior lighting fixtures shall not exceed a maximum height of 14 feet.

2. Lighting fixtures may be attached to a building, provided that such lighting is focused downward and is full cut-off and fully shielded.
3. Illumination Levels. The minimum level of illumination shall be 0.5 foot-candles, the average level of illumination shall not exceed 1.0 foot-candle and maximum illumination shall not exceed the minimum illumination by more than a ratio of 10 to 1. The uniformity of lighting shall not exceed a ratio of maximum to average illumination of 4:1.
4. Parking lot lighting shall also comply with the provisions under 'a' of this subsection.

#### 30-57.5 Open Space.

Inasmuch as open space contributes to the provision of light and air to occupants of a development, reduces density and improves the aesthetics of a development, site plans shall hereafter include designated areas of open space. Open space may be areas of the site left in an undisturbed natural condition, provided such is in keeping with the overall aesthetic integrity of the site plan. Open space may also be provided as landscaped sitting places, plazas and/or lawn areas. The amount of open space to be provided shall be in accordance with the open space ratios required ~~provided~~ in Article VI ~~Schedule 1~~.

#### 30-57.6 Reserved ~~Parking and Loading Standards.~~

#### 30-57.7 Reserved ~~Signs.~~

~~See Section 3061.~~

#### 30-57.8 Reserved ~~Fences or Walls.~~

~~See Section 3063.~~

#### 30-57.12 Street Tree, Landscape and Planting Requirements.

- a. It shall be unlawful to damage, or destroy ~~or remove~~ any street tree in the City. Removal of street trees may be permitted without the approval of the City Asbury Park Environmental Shade Tree Commission. No Certificate of Zoning Compliance for any new building shall be issued unless one (1) or more street trees have been planted in accordance with the provisions of this section and subsection 30-56.3 of the Land Development Ordinance.
- b. An applicant may make a written request that required street tree(s) will be planted within the earlier of six (6) months or sixty (60) days prior to the beginning of the next non-

planting season. The non-planting season for the purpose of this section shall be June 15th to September 15th or any time of the year when the ground is frozen more than three (3) inches below the surface of the soil.

c. Specifications for Street Tree Plantings.

1. Design. Prior to the issuance of a Zoning Permit for the construction of a new building or the approval of a site plan or subdivision application, a plan shall be ~~required~~ submitted ~~which shall~~ showing the location of existing and proposed street trees. Trees shall either be massed at critical points or spaced ~~evenly~~ at regular intervals along the street, or both. When trees are planted at ~~predetermined~~ regular intervals along streets, spacing shall ~~be thirty~~ between 30 and 40 feet on-center, depending on the species of tree(s) to be planted. Where there is an established pattern of street trees, the spacing, anticipated mature size and form of new trees shall be designed to match, to the greatest extent possible, that of the existing street trees. ~~depend on tree size as follows:~~

Tree Size Planting Interval

~~Large trees (40' high or higher) 50-60 feet apart~~

~~Medium sized trees (30'-40') 40-50 feet apart~~

~~Small trees (to 30' in height) 30-40 feet apart~~

2. Street Tree Locations. The following requirements are intended to avoid conflicts with public street infrastructure and adjacent site conditions when street trees are installed:
  - a. Trees shall not be planted directly in front of building entrances in order to permit access by emergency services. A tree may be placed in front of an entrance if the sidewalk is at least 15' wide at that point or the distance from the entrance to the tree is at least 12'.
  - b. Trees should not reduce the minimum width of sidewalks free of impediments below five feet 5'.
  - c. The minimum horizontal distance from traffic signs to a tree trunk shall be five feet.
  - d. The minimum distance from a fire hydrant to a tree trunk shall be five feet.
  - e. The minimum distance from a curb cut or driveway to the edge of a tree pit shall be one foot.
  - f. The minimum distance from the corner of a street intersection to the tree trunk shall reflect the required site distance as determined by the City.
  - g. All street tree planting beds shall be contiguous to the street curb. However, variations may be permitted subject discretion of the approving authority.
  - h. Street trees may be planted on either side of sidewalks in lawn areas where there is sufficient room between the property line and the street curb.

3. Tree type Species. ~~Tree type species may vary depending on the overall effect desired, but as a general rule, or~~ all trees shall be of similar type (e.g. open vs. dense foliage) form, and height as the predominant species found in the immediate area, except where it is appropriate to vary the visual or spatial character of trees. to achieve special effects. Exclusive use of one ~~(1)~~ species should be avoided to prevent the spread of pest or disease infestation. Preference shall be given to native, native-adapted and non-invasive species. Selection of tree ~~type species~~ shall be approved by the Planning Board as part of the review of a site plan or subdivision application, or by the Zoning Officer for new construction not requiring development approval from the approving authority appropriate land use Board.
4. Planting specifications Requirements. All trees shall conform to the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as promulgated by the American Association of Nurserymen. ~~have~~ The minimum size for street trees shall be a caliper dimension of two and a half to three (3) inches ~~measured six (6) inches from the base of the trunk.~~ Trees shall be nursery grown, of substantially uniform size and shape, and have straight trunks. Trees shall be properly planted and shall be staked, if necessary or required by the Zoning Officer. Provision shall be made by the applicant for regular watering and maintenance until they are established. Dead or dying trees shall be replaced by the applicant during the next planting season.
5. Planting area and planting medium. A prepared planting area shall be provided for each street tree. The planting area shall consist of a prepared soil planting medium and shall conform with the following requirements:
  - a. Street tree planting area, volume and surface cover:
    1. Sidewalks greater than 10 feet in width: five feet wide by 10 feet long and two feet deep, with an exposed planting area of five feet by five feet. The remainder of the tree planting area surface area shall be covered with pervious pavers, permeable pavement, vegetative groundcover or mulch.
    2. Sidewalks less than 10 feet in width: four feet wide by 12 feet long and two feet deep, with an exposed planting area of four feet by six feet. The remainder of the tree planting area surface area shall be covered with pervious pavers, permeable pavement, vegetative groundcover or mulch.
    3. In residential zone districts or where there are especially wide sidewalks, the entire planting area may have the entire surface area open with mulch, lawn or other vegetative groundcover.
    4. In all other areas, a surface treatment, such as permeable pavement, porous pavement, or permeable pavers may be used on top of a portion of the exposed planting area of the tree pit, so long as said treatment is able to adjust with the growth of the tree.

5. Planting Medium. Planting medium shall consist of loam topsoil. Topsoil shall be free from subsoil. Subsoil shall be removed to a depth of one foot or more if subsoil is encountered. Topsoil shall be of uniform quality, free from hard clods, stiff clay, hardpan, sods, particularly disintegrated stone, lime, cement, ashes, slag, concrete, tar residues, tarred paper, boards, chips, sticks or any other undesirable material. Topsoil shall meet the following requirements:

- a. Organic Matter. Backfill shall contain between 5%-12% organic matter.
- b. pH. The pH shall be in the range of 6.0 to 7.0 inclusive, unless otherwise approved.
- c. Soil Textural Analysis. Topsoil shall consist of the following percentages of sand, silt and clay:

Rocks, Stone and Gravel (>2.0 mm) <5%

Sand (0.05-2 mm) 40%-60%

Silt (0.002-0.05 mm) 20%-50%

Clay (<0.002 mm) 20% Max.

d. Planting Requirements for Urban Conditions for Paved Areas

1. Applicability. These requirements shall apply to areas within sites where at least ~~more than~~ fifty (50%) percent of the ground surface is proposed to be covered with impervious surfaces paved and/or where pedestrian traffic is too intense to allow grass to grow.
2. Root zone size requirements. ~~At the time of planting, A~~ prepared root zone shall be provided ~~for shade, ornamental and evergreen trees at a minimum diameter width equal to two one (2) square feet foot for every five (5) feet of canopy width projected for the tree at maturity five times the diameter of the root ball.~~
3. Soil mixture. The soil mixture for trees and shrubs planted in paved areas such as court yards and parking areas ~~under the applicable conditions described herein shall contain not less than fifty (50%) percent porous aggregate such as an expanded slate material. Sufficient loam and organic material shall be included in the mixture to sustain plain nutrients and protect against chemical changes within the soil.~~ utilize a structural soil that supports pavements while allowing air and water to move thorough the planting medium, such as CU soil or a soil cell system, such as Silva Cells.
4. Drainage requirements. Where structural soil or soil cells are used, a drainage system consisting of horizontally laid three (3) inch minimum diameter perforated pvc pipe shall be installed at least thirty-six (36) inches below the ground surface on each side of the prepared root zone. The pipe shall be laid at a minimum slope of 0.5% and maximum slope of 2.0%, with perforations facing upward on a three (3) inch layer of crushed stone and shall be covered by a fiber mat to allow water percolation without siltation. Where the

horizontal pipes intersect there shall be a vertical perforated pvc pipe of the same diameter extending to the ground surface in order to provide aeration and a mechanism for deep watering.

5. Surface material. The surface area over the prepared root zone in non-structural areas such as yards and buffers, shall be covered with organic mulch. In areas with pedestrian traffic such as courtyards, the surface over the prepared root zone shall be covered with either a monolithic pervious pavement, open jointed pavers or metal air vent grates to prevent soil compaction and to permit penetration of air and water. ~~Where possible, the surface material shall have a diameter equal to one-half (1/2) the mature height of the species being planted, but shall not be less than the area of the prepared root zone as is required in this chapter.~~

### 30-63 Fences.

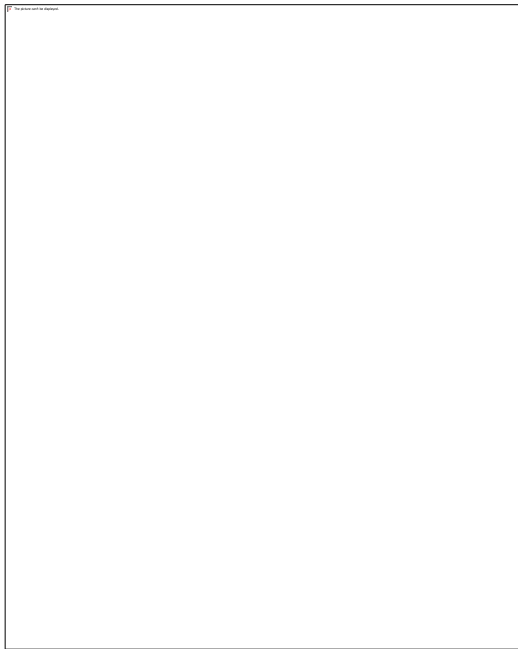
No fence shall be erected in the City except upon issuance of a Zoning Permit certifying compliance with the following requirements. (2000 Code § 3063)

#### 30-63.1 General Regulations on Fences and Walls.

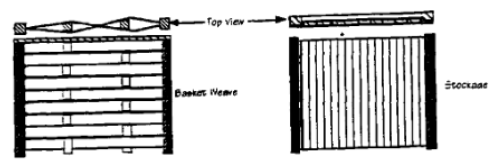
- a. Sightlines. Fences at all street intersections shall not be constructed to limit or obscure sight distance within the sight triangle of any street intersection ~~conform to the sightline preservation regulations as now or hereafter established by the Monmouth County Department of Public Works and Engineering.~~
- b. Vegetative Barriers. Hedges and other landscaping shall not exceed four (4) feet in height between any building facade facing a public street and the streetline. For corner lots, a vegetative barrier, hedge or other landscaping is permitted in accordance with 30-63.3.c. ~~be exempt from the height limitations of this section but~~ In all cases, such landscaping shall not be located so as to conflict with paragraph a. above.
- c. "Good Neighbor" Provision. Any fence type that has only one (1) finished side shall be erected so that the finished side faces the street or any adjacent property.
- d. Types of Fences Prohibited. No fence shall be constructed with barbed wire, razor wire, metal spikes other than decorative wrought iron style fences. Canvass or cloth fences, electrically charged fences, temporary fences except when used around construction sites, or expandable/collapsible fences shall be prohibited.
- e. Maintenance. Every fence shall be erected in a professional, workmanlike manner and maintained in a safe, sound upright condition. Every fence shall be uniform in color and appearance. Posts shall be uniform in height where possible according to the topography and metal posts shall be capped.
- f. Drainage. Retaining walls shall be designed and constructed so as not to block the flow of surface water and to permit adequate drainage.

### 30-63.21 Type of Fences Permitted.

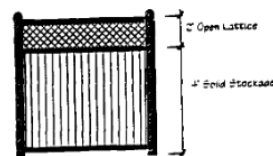
Any fence erected on or after the effective date of this section shall be one of the following fence types, or equivalent thereto in the discretion of the Zoning Officer. (2000 Code § 3063.1; Ord. No. 201552, Ex. B)



**Solid Fences**



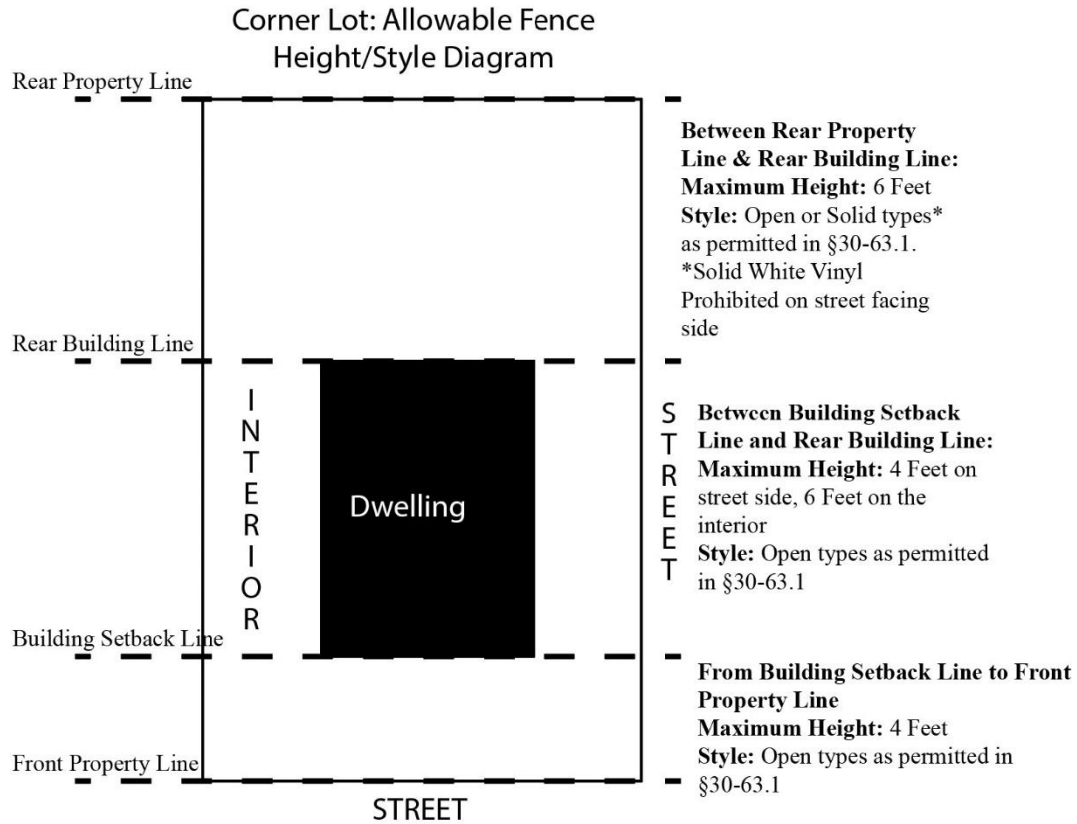
**Composite Fence**



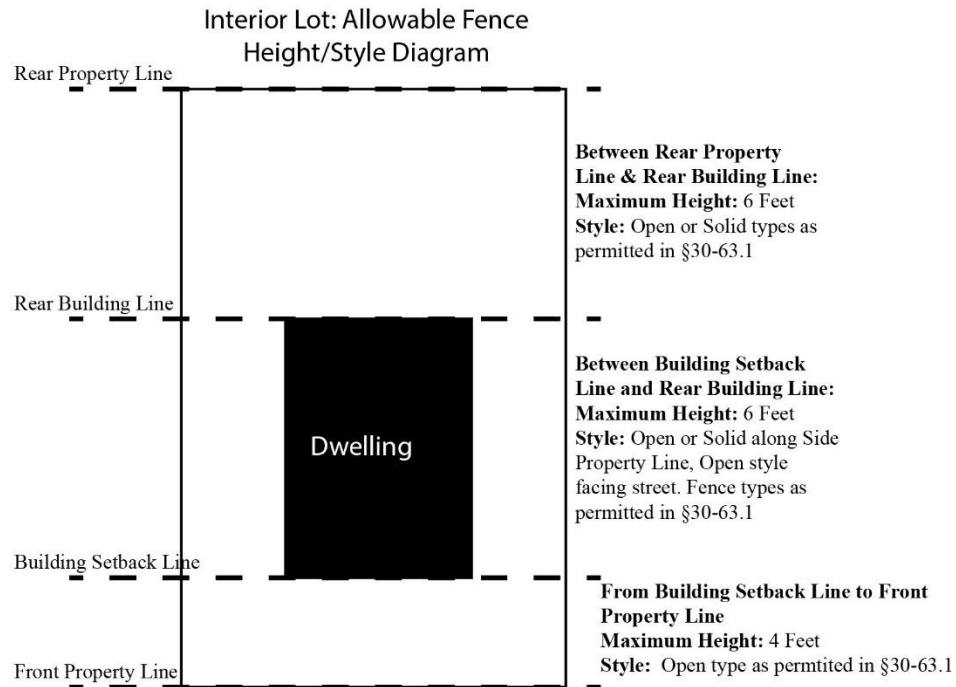
### 30-63.32 Maximum Height and Location.

- a. ~~Any fence or wall shall be located at least one (1) foot removed from the nearest edge of the property line. Fences are prohibited from being located within the public right-of-way. Any fence erected within a City street public right-of-way shall be removed by the property owner if its removal is required by the City.~~
- b. In all zones, no fence or wall, of more than four (4) feet in height shall be erected between any building facade facing a public street and the streetline, except that for properties with frontage on two (2) parallel streets, a fence up to six (6) feet tall may be placed along the rear property line.
- c. ~~The maximum height for any fence or wall on a property shall be six (6) feet, except as provided for in Subsection b. above~~Fences on Corner Lots: Properties with frontage on two perpendicular streets are permitted to have a fence up to six feet in height along the property line that is coterminous with the street that faces the side of the principal building.

The extent to which a fence may exceed four feet (and extend up to six feet) is limited to an area between the rear property line and a point created by a line starting from the rear building wall that is extended in parallel with the rear building wall to intersect with the street right-of-way. The maximum heights and for fences on corner lots is depicted below.



- d. Fencing for interior lots shall comply with maximum heights and styles shown below.



- e. Chain link, and solid fencing is prohibited for all street facing fences excluding alleys unless otherwise permitted by paragraph c above.
- f. The maximum height for any fence or wall on a property shall be six (6) feet.
- g. All fences shall be installed at least one (1) foot from any public street right-of-way, except alleys.



**Asbury Park, New Jersey  
ORDINANCE NO. 2021-21**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER XXX, ENTITLED  
“LAND DEVELOPMENT REGULATIONS,” OF THE CODE OF THE CITY OF  
ASBURY PARK, NEW JERSEY AND AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, the Asbury Park Planning Board (the “Planning Board”) adopted a Master Plan & Master Plan Reexamination Report in December 2017 that includes Land Use and Housing Objectives and recommendations; and

WHEREAS, the Master Plan & Master Plan Reexamination Report recommended certain revisions to the Sections 30-15 (“Definitions”); Section 30-59 (“Off Street Parking Requirements”); Section 30-64 (“Draft Community Design Standards”); 30-66 (“Zone Districts”); 30-67 (“Schedule of Zone District Area, Yard and Building Requirements”); 30-68 (“Supplementary Zone District Regulations”); 30-70 (“Use Regulations -Residential Districts”); 30-71 (“Use Regulations -Nonresidential Districts”); 30-72 (“Public Land - P1, P2 AND P4 Districts” ); 30-73 (“Supplemental Use Regulations”); 30-75 (“Accessory Uses and Structures”); and 30-76 (“Regulations Governing Conditional Use”)

WHEREAS, the City of Asbury Park (the “City”) retained the Planning firm of Clark Caton Hintz to work on the recommended amendments with the Master Plan and Zoning subcommittee (the “Committee”) comprised of members of the Planning Board, the Zoning Board of Adjustment, the Governing Body and staff of the Department of Planning and Redevelopment; and

WHEREAS, the Committee and the Planning Board have recommended the adoption of certain amendments to the City’s existing Land Development Regulations, as contained in Chapter XXX of the Code of the City of Asbury Park (the “City Code”), as set forth in the attached Exhibit A; and

WHEREAS, the City’s Department of Planning and Redevelopment prepared an updated Zoning Map relating to the Zoning Districts which reflects and incorporates the new zoning classifications as referenced above in the attached Exhibit B; and

WHEREAS, on August 12, 2020, the Mayor and Council authorized the referral of the proposed amendments and amended map to the Planning Board pursuant to the New Jersey Municipal Land Use Law, specifically N.J.S.A. 40:55D-26; and

WHEREAS, the Planning Board conducted public hearings on the proposed amendments and amended map on February 22 2021; and

WHEREAS, on February 22, 2001, the Planning Board adopted a Resolution finding the proposed amendments to be consistent with the Master Plan and referring the proposed amendments back to the Mayor and Council for further consideration; and

WHEREAS, the Mayor and Council now wish to approve and adopt the proposed amendments (as set forth in the attached Exhibit A), and to revise the City Code accordingly; and

WHEREAS, it is also the desire of the Mayor and Council to adopt the attached updated and amended Zoning Map (Exhibit B) so that it shall now represent the Official Zoning Map of the City pursuant to Section 30-66.2 of the Code of the City of Asbury Park and N.J.S.A. 40:55D-32.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Asbury Park, Monmouth County, State of New Jersey, that Chapter XXX, entitled “Land Development Regulations,” of the City Code is hereby amended in the following respects:

SECTION 1. Section 30-15 (“Definitions”), shall be amended in order to incorporate the revisions shown in the attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 2. Section 30-64 (“Draft Community Design Standards”) shall be amended in order to incorporate the revisions) shown in the attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 3. Section 30-59 (“Off Street Parking Requirements”) shall be amended in order to incorporate the revisions) shown in the attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 4. Section 30-15 30-66 (“Zone Districts”) shall be amended in order to incorporate the revisions shown in attached Exhibit A. (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 5. Section 30-67 (“Schedule of Zone District Area, Yard and Building Requirements”) shall be amended in order to incorporate the revisions shown in attached Exhibit A. (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 6. Section 30-68 (“Supplementary Zone District Regulations”) shall be amended in order to incorporate the revisions shown in attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 7. 30-70 (“Use Regulations -Residential Districts”) shall be amended in order to incorporate the revisions shown in Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 8. Section 30-71 (“Use Regulations-Nonresidential Districts”) shall be amended in order to incorporate the revisions shown in Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 9. Section 30-72 (“Public Land - P1, P2 AND P4 Districts”) shall be eliminated in its entirety and listed as “Reserved”.

SECTION 10. Section 30-73 (“Supplemental Use Regulations”) shall be amended in order to incorporate the revisions shown in attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 11. Section 30-75 (“Accessory Uses and Structures”) shall be amended in order to incorporate the revisions shown in the attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 12. Section 30-76 (“Regulations Governing Conditional Use”) shall be amended in order to incorporate the revisions shown in the attached Exhibit A (additions are shown with underline; deletions are shown with ~~strikeout~~).

SECTION 13. In accordance with N.J.S.A. 40:55D-32 and Section 30-66.2 of the Code of the City of Asbury Park, the City hereby approves and adopts the amended and updated Zoning Map which is attached hereto as Exhibit “B,” as prepared by the Department of Planning and Redevelopment and dated March 2021 to represent the Official Zoning Map of the City of Asbury Park

SECTION 14. Severability. If any chapter, section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the chapter, section, paragraph, subsection, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 15. Effective Date. This ordinance shall take effect immediately upon its passage and publication in accordance with law, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

SECTION 16. Repealer. All ordinances or parts thereof that are inconsistent with this ordinance shall hereby be deemed repealed to the extent of such inconsistency.

I, MELODY HARTSGROVE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of ORDINANCE NO. 2021-21 which was finally adopted by the City Council at a meeting held on the 9th day of June, 2021

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MELODY HARTSGROVE  
CITY CLERK

# EXHIBIT A

## Draft Definitions Update for Asbury Park

Replace/Add the following new text:

### 30-15 DEFINITIONS.

For the purpose of this chapter, "lot" shall include "plot," and "building" shall include "structure," and "fence" shall include "wall." Unless the context of use clearly indicates otherwise, the term "shall," "will," and "must" indicate a mandatory requirement, and the term "may" indicates a permissive action. The singular may also mean the plural and person shall also mean other legal entities, in proper context.

Abandoned or discontinued sign or sign structure shall mean a sign or sign structure whose owner has failed to operate or maintain said sign or sign structure for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign or sign structure.

A. A sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed; or

B. A sign which is blank.

*Abutting County road or drainage facilities* shall mean any existing or proposed County road or drainage facility shown on the adopted County Master Plan, Highway Plan, or Official Map, which adjoins or ties within a lot or parcel of land submitted for subdivision or site plan approval.

*Accessory building or use* shall mean a building or use subordinate to and customarily associated with or incidental to the principal building or use on the same lot. When an accessory building is attached in a substantial manner by a wall or roof to a principal building, it shall be considered a part thereof.

*Administrative Officer* shall mean the City Planner/Zoning Inspector for the Planning Board, and the City Planner/Zoning Inspector or Zoning Officer for the Zoning Board of Adjustment.

~~*Adult arcade* shall mean an establishment where, for any form of consideration, one (1) or more motion picture projectors, slide projectors, video tape players, or similar machines for viewing by five (5) or fewer persons each are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.~~

~~*Adult bookstore* shall mean an establishment that has as a substantial portion of its stock in-trade and offers for sale for any form of consideration, any one (1) or more of the following: (1) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are characterized by an emphasis upon specified sexual activities or specified anatomical areas; or, (2) instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.~~

~~Adult cabaret shall mean a nightclub, bar, restaurant, or similar establishment that regularly features live performances characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides, or other photographic reproductions, in which a substantial portion of the total presentation time is devoted to the showing of materials characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas. For the purposes of this chapter, "go-go bars" shall be considered to be adult cabarets.~~

~~Adult motion picture theater shall mean an establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.~~

~~Adult theater shall mean a theater, concert hall, auditorium, or similar establishment characterized by activities featuring the exposure of specified anatomical areas or by specified sexual activities featuring the exposure of specified anatomical areas or specified sexual activities.~~

*Alley* shall mean a minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street. An alley, as defined herein, shall not be considered a street for the purposes of compliance with paragraph e. of subsection 30-68.2.

*Alteration* shall mean a change to the exterior or interior elements of a building or structure so as to affect the amount or arrangement of rooms, corridors and other spaces or to change the nature of their use and/or a change to parking and loading areas and access thereto which affects existing parking layout, circulation, drainage, building arrangements, landscaping, buffering and/or lighting.

*Amusements, commercial* shall mean an establishment which includes a combination of rides, games of chance, coin-operated amusements and similar devices arranged and intended to provide amusement.

*Antiques* shall mean objects having special value because of their age and craftsmanship.

*Applicant* shall mean a developer submitting an application for development.

*Application for development* shall mean the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, cluster development, conditional use, zoning variance or direction of the issuance a permit pursuant to subsections 30-21.6 and 30-22.3.

*Arcade* shall mean an establishment that has more than 20% of its publicly accessible floor area occupied by ~~containing four (4) or more~~ coin operated amusements and similar devices; including video games, pinball machines, juke boxes, pool tables or games of chance.

*Automobile junk yard* shall mean and describe any business and any place of storage or deposit which displays, or in or upon which there are displayed, two (2) or more unregistered motor vehicles which are unfit for reconditioning for use for highway transportation, or used parts of motor vehicles or material

which has been a part of a motor vehicle, the sum of which parts or material are equal in bulk to two (2) or more motor vehicles.

*Automobile repair* shall mean a business or person who for compensation engages in repairing, restoring, removing, or installing integral component parts of an engine, power train, chassis, or body of any vehicle.

*Automobile storage yard, private* shall mean one (1) or more unregistered or disabled vehicles which are stored in the open on private property and not being restored to operating condition.

*Average elevation* shall mean the elevation of the finished grade at the center of each facade of a building or structure divided by the total number of facades.

*Balcony* shall mean an uncovered platform, which is attached to a building above the ground level, and which projects no more than four (4) feet from the façade, including railings or architectural ornamentation.

~~*Banner* shall mean any sign or string of one or more signs, usually made of fabric or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. This includes "feather banners". Flags shall not be considered banners of lightweight fabric or similar material that is mounted on a pole, a building, or any other mounting. National flags, State or municipal flags, the official flag of any institution or business, or other officially recognized flags shall not be considered banners.~~

*Bar* shall mean any premises wherein alcoholic beverages are sold at retail for consumption on the premises, exclusive of establishments otherwise defined herein.

*Base flood elevation* shall mean the highest elevation, expressed in feet above sea level, of the level of flood waters resulting from a one hundred (100) year storm.

*Basement* shall mean a space having one-half (1/2) or more of its floor-to-ceiling height above the average elevation of the adjoining ground and with a floor-to-ceiling height of not less than ~~seven~~<sup>six</sup> and one-half (7<sup>6</sup> 1/2) feet. A basement shall be counted as a story ~~if used for business, industrial, office or residential purposes.~~

*Beacon* shall mean any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same property as the light source; also, any light with one (1) or more beams that rotate or move.

~~*Bed and Breakfast* shall mean an owner occupied facility that provides overnight accommodations and a morning meal to transients for compensation. Bed and breakfasts shall only be permitted as a renovation of an existing building; no new construction shall be permitted (although some "minor" additions may be appropriate). The limit of time a guest may stay shall be limited to a maximum of two weeks. Minor additions shall mean no more than one hundred fifty (150) square feet of new floor area and which does not trigger any setback or height variances.~~

*Bed and Breakfast Residence* means a private, single-family residence that is year-round owner-occupied, which provides overnight lodging for no more than twelve (12) transient guests and

provides only breakfast for registered guests each day. The rented rooms do not contain cooking facilities and do not constitute separate dwelling units.

*Berm* shall mean an earthen mound planted with grass or other plant material and used for screening one area from another.

*Billboard* shall mean a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

*Boarding house* shall mean any building, together with any related structure, accessory building, any land appurtenant thereto, and any part thereof, which contains two (2) or more units of dwelling space arranged or intended for single room occupancy, exclusive of any such unit occupied by an owner or operator, and wherein personal or financial services are provided to the residents, including any residential hotel or congregate living arrangement, but excluding any hotel, motel, or established guest house wherein a minimum of eighty-five (85%) percent of the units of dwelling space are offered for limited tenure only.

*Board of Adjustment* shall mean the Asbury Park Zoning Board of Adjustment.

*Brew pub* shall mean an establishment licensed to brew any malt alcoholic beverages and in ~~an~~ amounts in accordance with in accordance with the State Alcoholic Beverage Law, not to exceed three thousand (3,000) barrels of thirty-one (31) fluid gallons capacity per year, and operated in conjunction with a restaurant regularly and principally used for the purpose of providing meals to its customers and having adequate kitchen and dining room facilities; ~~located immediately adjoining the premises licensed to brew malt alcoholic beverages as a restricted brewery.~~

*Buffer* shall mean a portion of a lot or parcel which is devoted to the visual separation of land uses on the same lot or on an adjacent lot. In most instances the buffer will be a strip of plant material, at least five (5) feet wide, massed so as to block or screen views through it.

*Building* shall mean a combination of materials to form a construction adapted to permanent, temporary, or continuous occupancy and having a roof. This definition shall not be construed to apply to trailers, wagons or any other enclosure supported by a chassis, axles and/or wheels.

*Building coverage* shall mean the area of a lot or parcel covered by buildings or structures, exclusive of parking areas or other impervious ground covers.

*Capital improvement* shall mean a governmental construction project or acquisition of equipment or real property.

*Cellar* shall mean a space with less than one-half (1/2) of its floor-to-ceiling height above the average elevation of the adjoining ground or with a floor-to-ceiling height of less than six and one-half (6 1/2) feet.

*Change of use* shall mean the use of a building or premises for a purpose different than previously authorized and where one (1) use classification is being changed to another (e.g., one (1) family residential to two (2) family residential, retail sales to retail service, multifamily residential to general office, hotel/motel to multifamily dwelling or rooming/boarding house).

*Child day care center* shall mean a place of business established for the purpose of providing supervision and care for five (5) or more children five (5) years of age or younger and operated on a regular basis, but not as a residence or domicile.

*Church/house of worship* shall mean a building or premises, together with any related structure, accessory building, or land appurtenant thereto, and any part thereof in which persons assemble for the purpose of conducting religious worship services and related activities.

*Circulation* shall mean systems, structures and physical improvements for the movement of people, goods, water, air, sewage or power by such means as streets, highways, railways, waterways, towers, airways, pipes and conduits, and the handling of people and goods by such means as terminals, stations, warehouses, and other storage buildings or transshipment points.

*Clubs, social/fraternal organizations* shall mean a building or premises together with any related structure, accessory building, or land appurtenant thereto, and any part thereof, in which persons congregate for social or civic purposes and where membership might be required.

*Cluster development* shall mean an area to be developed as a single entity wherein buildings and structures are arranged in groups, either on separate lots or on a single parcel, so as to provide open space and efficient distribution of roads and utilities according to a preconceived plan.

*Commercial message* shall mean any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

*Common open space* shall mean an open space area within or related to a site designated as a development, and dedicated, set aside, reserved or intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complimentary structures, facilities and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development, and the general public if so dedicated.

*Community residence for the developmentally disabled* shall mean any community residential facility licensed by the State of New Jersey pursuant to P.L. 1977, c.448 (C.30:11B-1 et seq.) providing food, shelter and personal guidance, under such supervision as required, to not more than fifteen (15) developmentally disabled or mentally ill persons, not including any person who has been committed after having been found not guilty of a criminal offense by reason of insanity or having been found unfit to be tried on a criminal charge. For the purposes of this chapter, "group homes," "intermediate care facilities," "supervised apartment living arrangements," and "hostels" are considered "community residences for the developmentally disabled."

*Community shelter for victims of domestic violence* shall mean any shelter approved for a purpose of service, contracted and certified by the State of New Jersey pursuant to P.L. 1979, c.337 (C.30:40-1-14) providing food, shelter, medical care, legal assistance, personal guidance and other services on a temporary basis to not more than fifteen (15) persons who have been victims of domestic violence, including any children of such victims.

*Conditional use* shall mean a use permitted in a particular zoning district only upon a showing

that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter and upon the issuance of authorization therefor by the Planning Board.

*Congregate senior citizen housing* shall mean a facility providing independent dwelling units supplemented by congregate meals, housekeeping and support services to persons sixty (60) years of age or older.

*Containers, refuse* shall mean a large box or container made of metal or similar material and designed to be carried on a flat bed truck or other conveyance and used for the disposal of debris or other materials. For the purposes of this chapter, a "dumpster," including those which are designed to be mechanically emptied by specialized disposal vehicles, are to be considered refuse containers.

*Contractor's Yard* shall mean any use of premises for the storage of equipment, tools, materials, and vehicles used in the business of a construction contractor or tradesman.

*Convenience store* shall mean any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area less than three thousand (3,000) square feet.

*County Master Plan* shall mean a composite of the plan elements for the physical development of Monmouth County, with the accompanying maps, plots, charts, and descriptive and explanatory matter adopted by the County Planning Board pursuant to N.J.S.A. 40:27-2 and N.J.S.A. 40:27-4.

*County Planning Board* shall mean the Monmouth County Planning Board.

*Court* shall mean any open, unoccupied area which is bounded by three (3) or more building walls.

*Court, inner* shall mean an open area, unobstructed from the ground to the sky, which is bounded on more than three (3) sides by the exterior walls of one (1) or more buildings.

*Court, outer* shall mean an open space, unobstructed from the ground to the sky, which is bounded on not more than three (3) sides by the exterior walls of one (1) or more buildings.

*Craft Distillery* shall mean a facility holding a craft distillery license issued in accordance with the State Division of Alcoholic Beverage Control (ABC), producing distilled alcoholic beverages, to rectify, blend, treat and mix distilled alcoholic beverages, including the sale and distribution of the product to licensed wholesalers and retailers, including the retail sale of the product direct to consumers in limited quantities for consumption off the premises, or in connection with a tour of the distillery, the retail sale or offering of samples, for consumption on the premises.

*Curb cut* shall mean a separation or break in the curbline or edge of the cartway to allow access to a driveway or other vehicular passageway.

*Cut* shall mean a portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface or excavated surface.

*Days* shall mean calendar days.

*Deck* shall mean an uncovered platform, which is attached to a building and which projects more than four (4) feet from the façade, including railings.

*Dedication* shall mean a dedication of land for construction, reconstruction, widening, repairing, maintaining or improving a street, public or private, and for the construction, reconstruction or alteration of facilities related to the safety, convenience or carrying capacity of the street; including, but not limited to curbing, pedestrian walkways, drainage facilities, traffic control devices and utilities in or along road rights-of-way.

*Density, residential* shall mean the number of dwelling units per gross acre of residential land area including streets, easements and open space within a development. ~~The residential density of mixed use development proposed for oceanfront parcels, located east of Kingsley Street in RC and R5 Zones, may be calculated using the entire tract, including portions of the tract containing only commercial uses, provided the proposed development is consistent with all aspects of the Waterfront Redevelopment Plan and this chapter. In all other developments, including planned developments, the residential density shall be calculated after the tract area occupied exclusively by commercial uses is subtracted from the gross tract area.~~

*Development* shall mean the division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to this chapter. For the purposes of this chapter, "Special Questions," as defined in this chapter, are not considered "development."

*Development, conventional* shall mean development other than planned development or cluster development.

*Development, Major* shall mean a major subdivision or any development not defined as a minor development.

*Development, Minor* shall mean:

- a. A minor subdivision;
- b. The construction of any building or structure or addition to any building or structure of five hundred (500) or more square feet but less than one thousand (1,000) square feet of building area or structural area;
- c. The construction of more than four (4) but less than ten (10) parking spaces;
- d. Improvements to existing parking areas containing more than four (4) but less than ten (10) parking spaces where the area of existing paving and location and size of existing driveways are affected;
- e. The alteration of an existing building result in a change in the number of dwelling units on the site;
- f. A change in use where additional nonconformities are created and/or pre-existing

nonconformities are exacerbated; and/or

- g. Does not involve planned development, any new street or extension of any off-tract improvement.

*Development regulation* shall mean a zoning, subdivision, site plan, Official Map, or other municipal ordinance or regulation containing the use and development of land, or amendment thereto adopted and filed pursuant to the Municipal Land Use Law.

*Development Review Committee* shall mean three (3) or more persons, who may be residents or nonresidents of the City, appointed by the Planning Board upon recommendation of the City Manager or City Planner for the purpose of providing technical advice and comments on development applications.

*Drainage* shall mean the removal of surface water or groundwater from land by drains, grading or other means and includes control of run-off during and after construction or development to minimize erosion and sedimentation, to assure the adequacy of existing and proposed culverts and bridges, to induce water recharge into the ground where practical, to lessen nonpoint pollution, to maintain the integrity of stream channels for their biological functions as well as for drainage, and the means necessary for water supply preservation or prevention or alleviation of flooding.

*Driveway* shall mean a vehicular accessway provided for the purpose of allowing passage over private or public property. All driveways shall be an appropriate hard-surface pavement that is durable and maintained in good condition.

*Dwelling, attached* shall mean a one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.

*Dwelling, detached* shall mean a one-family dwelling which is not attached to any other dwelling.

*Dwelling, multi-family* shall mean a building containing more than two (2) dwelling units.

*Dwelling, one-family* shall mean a building containing one (1) dwelling unit.

*Dwelling, semi-detached* shall mean a one-family dwelling attached to one (1) other one-family dwelling by a common vertical wall or other structural element. (Also known as a "twin house" when located on one (1) lot.)

*Dwelling, two-family* shall mean a building containing two (2) dwelling units.

*Dwelling unit* shall mean one (1) or more rooms, designed, occupied, or intended for occupancy as separate living quarters with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

*Essential services* shall mean those services provided by a municipality which are necessary to support and satisfy the needs of the community. Such services may include, but are not limited to, police and fire protection, solid waste and wastewater collection and removal, education, snow removal, recreation, etc.

*Establishment of adult entertainment* shall mean an establishment which provides any form of entertainment which is of a nature that would require the exclusion of minors by virtue of age

under existing State statute. For the purpose of this chapter, adult motion picture or "X-rated theaters," regardless of seating capacity; "peep shows," whether or not they are coin operated; adult cabarets or "go-go bars" and massage parlors are considered to be "establishments of adult entertainment" if they are required by law to exclude access to minors by virtue of age.

*Excavation* shall mean removal or recovery by any means whatsoever of minerals, mineral substances or organic substances, other than vegetation, from the water, land surface, or beneath the land surface, whether exposed or submerged.

*Exhibition pavilion* shall mean a building of no more than fifty thousand (50,000) square feet and two (2) stories in size, arranged and intended to present the products and/or philosophy of a single sponsor to the public, in an educational and entertaining manner, for an extended period of time. For the purposes of this definition, an extended period of time shall mean a period of not less than six (6) months.

*Family* shall mean one (1) or more persons maintaining a household, ~~provided that, unless specified otherwise in this chapter, no family shall contain more than five (5) unrelated adults. A "family" shall include foster children placed with a family by the State Division of Youth and Family Services, a community residence for the developmentally disabled or community shelter for victims of domestic violence containing six (6) persons or less, excluding resident staff, but shall not include roomers, boarders, or members of a fraternity or sorority. For the purpose of this chapter, "unrelated adults" shall mean that no person is either mother, father, son, daughter, sister or brother, husband or wife of any other person in the family. (See "household.")~~

*Fence* shall mean a structure rising above the finished grade intended to provide physical separation between spaces or properties. For the purposes of this section, a structure constructed on a continuous footing or foundation and greater than four (4) inches thick, excluding support posts, shall be considered a wall rather than a fence and shall meet the setback requirements for buildings specified in Section 30-67, herein.

*Fill* shall mean sand, gravel, earth or other materials of any composition whatsoever placed or deposited by any person or persons.

*Final approval* shall mean the official action of the Planning Board or Zoning Board of Adjustment taken on a development plan which has been given preliminary approval after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion, or approval conditioned upon the posting of such guarantees.

*Flag* shall mean any fabric or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

*Flood Hazard Area* shall mean the area delineated on the Flood Insurance Rate Map as being subject to flood waters resulting from a one hundred (100) year storm.

*Flood Insurance Rate Map (FIRM)* shall mean the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community, adopted September 15, 1983, as Map No. 340285-0001C or as revised by the Federal Emergency Management Agency.

*Floor area, gross* shall mean the sum of the gross horizontal areas of the floors or stories of a building measured from the exterior face of the exterior walls but not including areas devoted exclusively to off-street parking and loading space for motor vehicles or any space where the floor-to-ceiling height is less than seven (7) feet.

*Floor area, net* shall mean that portion of the gross floor area to be used or occupied or intended for use or occupancy. In the absence of floor plans identifying and quantifying useable or habitable floor space, net floor area will be measured as gross floor area minus twenty (20%) percent.

*Floor Area Ratio (FAR)* shall mean the ratio of the gross floor areas of all buildings on a lot to the lot area.

*Garage* shall mean a building or structure used for the storage of one (1) or more vehicles. If it is maintained for the resident occupant of the premises and no service is rendered to the public, or any business conducted therein, it is a private garage. Any garage other than a private garage is a public garage.

~~*Garage, repair.* See "Automobile repair."~~

~~*Gasoline service station* shall mean a place where gasoline or other motor fuel is offered for sale to the public and deliveries are made directly into motor vehicles, and which may provide for the maintenance, service or washing of motor vehicles, or the sale of equipment and accessories.~~

*Governing Body* shall mean the Mayor and Council of the City of Asbury Park.

*Grade, finished* shall mean the final grade or elevation of the ground surface conforming to the proposed design.

*Grading* shall mean any stripping, culling, filling, stockpiling or any combination thereof, including the land in its cut or filled condition.

*Guest houses* shall mean a hotel wherein no more than nine (9) units of dwelling space, each containing private bathing facilities, are arranged or intended for single room occupancy, exclusive of any such unit occupied by any owner or operator, and where eighty-five (85%) percent or more of the units are occupied by persons for ninety (90) days or less. (See "hotel.")

*Habitable room* shall mean any room in a dwelling unit other than a kitchen or bathroom.

*Halfway house* shall mean a building or structure or dwelling unit wherein two (2) or more inmates of the State Department of Corrections; or two (2) or more persons paroled from a correctional institution reside under on-site or off-site supervision. Halfway houses, as herein defined, are prohibited in the City as they represent a threat to the public safety and welfare.

*Height of building or structure* shall mean the vertical distance measured from the average finished ground elevation around the foundation to the top of a structure; the highest point of the surface of a flat roof; or the midpoint between the ridge and the eave of a pitched roof.

*Heliport* shall mean an identifiable area on land, water or structure, including any building or facilities thereon, used or intended to be used for the landing and takeoff of helicopters. The

term heliport as used herein applies to all sites, including helistops, used or intended to be used for the landing and takeoff of helicopters.

*Helistop* shall mean an area used or intended to be used for the landing and takeoff of helicopters engaged in dropping-off or picking-up passengers.

*Historic building or site* shall mean any building, structure, area or property that has been designated on the State or National Register of Historic Places or in the Asbury Park Master Plan to be significant in the history, architecture, archaeology or culture of the State of New Jersey, its communities or the nation.

*Home occupation (minor)* shall mean an occupation, profession, activity, or use that is clearly an ~~customary~~ incidental and secondary use of a residential dwelling unit conducted by the residents thereof, and which does not alter the exterior of the property or affect the residential character of the premises or neighborhood.

*Home occupation (major)* shall mean an occupation, profession, activity, or use conducted by the residents and unrelated, non-resident employees, which may include the offering of services to clients on the premises.

~~*Home professional office* shall mean the office of a physician, dentist, chiropractor, architect, attorney, accountant or like professional person, which is conducted within the residence of that person in a residential zone.~~

*Hotel* shall mean a building or group of buildings containing ten (10) or more units of dwelling space designed and used primarily for single room occupancy of limited tenure in which no more than five (5%) percent of the sleeping units may have cooking facilities of any kind, and all sleeping units contain private bathrooms with bathing facilities. For the purposes of this chapter, "limited tenure" shall mean occupancy in any particular facility of not more than ninety (90) days. A maximum of fifteen (15%) percent of the sleeping units may be occupied more than ninety (90) days. Motels, motor inns, and motor lodges shall be considered "hotels" for the purpose of this chapter. Buildings which contain sleeping rooms without private baths and which do not provide heat in winter months shall be considered "seasonal hotels" and shall not be permitted.

*Household* shall mean One (1) or more persons living together in one (1) dwelling unit on a nonseasonal basis and sharing living, sleeping, cooking and sanitary facilities on a non-profit basis~~a family living together in a single dwelling unit with common access to, and common use of all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.~~

*Impervious surface* shall mean any material which generally reduces or prevents absorption of storm water into previously undeveloped land. Retention and detention basins and dry wells allowing water to percolate directly into the ground shall not be considered as impervious surfaces.

*Interested party* shall mean: (a) In a criminal or quasi-criminal proceeding, any citizen of the State of New Jersey; (b) In the case of a civil proceeding in any court or in an administrative proceeding before a municipal agency, any person, whether residing within or outside the City, whose right to use, acquire, or enjoy property is or may be affected by any action taken

under this chapter, or under any other law of this State or of the United States has been denied, violated or infringed by an action or a failure to act under this chapter.

*Institutional and public uses* shall mean nonprofit public or quasi-public institutions and uses such as public and private colleges and universities, libraries, museums and correspondence and vocational schools.

*Junk* shall mean any scrap, waste, reclaimable material and debris, whether or not stored or used in conjunction with the dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk may include, for purposes of illustration, vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, plaster, household appliances, wood, lumber, brush and building materials.

*Junkyard* shall mean any area, lot, parcel, building or structure used for the storage, sale, processing or abandonment of junk.

*Land* shall mean ground, soil or earth including improvements and fixtures on, above or below the surface thereof.

*Land disturbance* shall mean any activity involving the clearing, cutting, excavating, filling, grading, and any other activity which causes land to be altered, eroded or subject to erosion.

*Landscape plan* shall mean a drawing or set of drawings, submitted in conjunction with an application for development, which indicates all the elements of the proposed landscape treatment of a site, including plant materials, structures, paving materials, landforms, grading and drainage.

*Licensed health care facility* shall mean any health care facility defined in N.J.S.A. 26:2H-2 that requires a license from the State of New Jersey Department of Health to operate.

*Light industrial* shall mean an establishment that engages in fabrication, assembly, or processing of goods or materials, or the storage of bulk goods and materials where such activities or materials create no hazard from fire or explosion, or produce no toxic or corrosive fumes, gas, smoke, obnoxious dust or vapor, offensive noise or vibration, glare, flashes, or objectionable effluent.

*Lot* shall mean a designated parcel, tract or area of land established by a plot plan or otherwise as permitted by law and to be used, developed or built upon as a unit.

*Lot area* shall mean the computed area contained within the lot lines, but not including any street rights-of-way.

*Lot, corner* shall mean a parcel of land either at the junction of or abutting on two (2) or more intersecting streets, or abutting a single street at the point where the road tangents deflect by more than forty-five (45°) degrees.

*Lot coverage* shall mean that portion of one (1) lot or more than one (1) lot which is improved or is proposed to be improved with buildings and structures, including but not limited to driveways, parking lots, pedestrian walkways, signs and other manmade improvements on the ground surface which are more impervious than the natural surface. (See also "building coverage" and "open space.")

*Lot depth* shall mean the average distance between the front lot line and rear lot line.

*Lot, interior* shall mean a parcel of land other than a corner lot and having frontage on a street, road or other designated right-of-way.

*Lot line* shall mean a line of record bounding a lot.

*Lot line, front* shall mean the lot line separating a lot from a street right-of-way.

*Lot line, rear* shall mean the lot line opposite and most distant from the front lot line, or the point at which the side lot lines meet. On corner lots, there shall be only one (1) rear lot line.

*Lot line, side* shall mean any lot line other than a front or rear lot line.

*Lot, through* shall mean an interior lot which extends from one (1) street to another.

*Lot width* shall mean the distance between the side lot lines measured at the streetline. Where the side lot lines converge towards the street, the lot width may be measured at the front yard setback line.

*Luminance* shall mean the amount of light coming from a sign expressed as a measurement of the brightness of a sign face of either the light that is emitted by, or reflected from, the surface of the sign. Luminance is measured in units called “candela” per square meter (cd/m<sup>2</sup>) and is informally known as a “nit”. One nit = one cd/m<sup>2</sup>.

*Maintenance guarantee* shall mean any security other than cash, which may be accepted by the City for the maintenance of any improvements required by this chapter or as a condition of Planning Board or Zoning Board of Adjustment approval.

*Major subdivision* shall mean a subdivision not classified as a minor subdivision.

*Marquee* shall mean any permanent roof-like structure located at an entry to an entertainment establishment that projects beyond the building or extends along and projects beyond the wall of a building, generally designed and constructed to provide protection from the weather, and any sign attached to or made part of such structure.

*Massage parlor* shall mean an establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional licensed by the State of New Jersey. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

*Master Plan* shall mean the Asbury Park Master Plan and any revisions, amendments, or additions thereto.

*Microbrewery* shall mean an establishment holding a limited brewery license issued in accordance with the State Division of Alcoholic Beverage Control (ABC), producing malt beverages, including the sale and distribution of the product to licensed wholesalers and retailers, including the retail sale of the product direct to consumers in limited quantities for consumption off the premises, or in connection with a tour of the brewery, the retail sale or

offering of samples, for consumption on the premises engaged in brewing any malt alcoholic beverages for sale and distribution to wholesalers and retailers licensed in accordance with the State Alcoholic Beverage Law, that is licensed to operate pursuant to N.J.S.A. 33:1-10.

*Minor subdivision* shall mean any subdivision containing not more than three (3) lots, including the remaining lot or parcel, which is not a planned development, or does not contain any new street, or does not involve the extension of any off-tract improvement.

*Motor Vehicle Repair Garage* shall mean a building or portion of a building or land, or portion thereof, which is not primarily devoted to the retail sale of gasoline, in which the repair and maintenance of motor vehicles, including diagnostic services and repair of any component parts of an engine, power train, chassis, or body of any vehicle is conducted as a business.

*Motor Vehicle Service Station* shall mean any area of land, including structures thereon, which is used for the retail sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sale of motor vehicle accessories, and which may include facilities for lubricating, washing or servicing of motor vehicles, except that auto body work of any nature and retail sales unrelated to motor vehicle uses shall be prohibited.

*Municipal Land Use Law* shall mean Revised New Jersey Statutes 40:55D-1 et seq.

*Natural ground surface* shall mean the ground surface in its original state before any grading, excavation or filling.

*Nightclub* shall mean an establishment where alcoholic beverages are served that may also serve food as an adjunct to its bar business, and where music (live or recorded) is provided to patrons for their listening or dancing entertainment.

*Nit* shall mean luminance measured in units called candela per square meter (cd/m<sup>2</sup>) and informally known as a "nit". One nit = one cd/m<sup>2</sup>.

*Nonconforming lot* shall mean a lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of this chapter or previous ordinances, but fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment of this chapter.

*Nonconforming structure* shall mean a structure which was of legal height and/or legally situated on a lot or parcel prior to the adoption, revision or amendment of this chapter or previous ordinances, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment of this chapter.

*Nonconforming use* shall mean a use or activity which was lawful prior to the adoption, revision or amendment of this chapter or previous ordinances, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment of this chapter. For the purposes of this section, a use shall be considered nonconforming if the residential density or floor area ratio applied thereto exceeds the maximum permitted in the zoning district in which such use is located by reason of the adoption, revision or amendment of the Land Development Regulations.

*Office, business* shall mean a room or group of rooms used for conducting the affairs of a business or industry.

Office, medical shall mean a business principally engaged in providing services for health maintenance, diagnosis (including testing) and treatment of human diseases, pain or other physical or mental condition of patients by physicians or other licensed health care professionals, solely on an outpatient basis, but not to include a behavioral health care center. No overnight patients shall be kept on the premises. Examples of medical offices shall include but not be limited to general physicians, dentists, chiropractors, psychologists, cardiologists, radiologists and other various specialists.

Office, professional shall mean ~~the office of a member of a recognized profession, maintained for the conduct of that profession. any office used by one (1) or more persons licensed or certified by the State of New Jersey, or any professional society or association with recognized status and national affiliations, to provide a professional service to the public.~~ Such professions shall specifically include licensed medical practitioners, chiropractors, psychologists, real estate practitioners, accountants, financial or insurance practitioners, legal practitioners, planning, design, and engineering professionals, ~~and travel consultants, or any other profession whose members are licensed or certified by the State of New Jersey, or any professional society or association with recognized status and national affiliations, to provide a professional service to the public.~~

*Official County Map* shall mean the map, with changes and additions thereto, adopted and established from time to time, by resolution of the Board of Chosen Freeholders of the County of Monmouth pursuant to N.J.S.A. 40:27-5.

*Official Map* shall mean a map adopted in accordance with the Municipal Land Use Law, or any prior act authorizing such adoption, which map shall be deemed conclusive with respect to the location and width of the streets, public parks and playgrounds, and drainage right-of-way shown thereon.

*Off-site* shall mean located outside the lot lines of the lot or lots in question but within the property (of which the lot is a part) which is the subject of a development or contiguous portion of a street right-of-way.

*Off-tract* shall mean not located on the property which is the subject of a development application nor on a contiguous portion of a street right-of-way.

*On-site* shall mean located on the lot or lots in question.

*On-tract* shall mean located on the property which is the subject of a development application or on a contiguous portion of a street right-of-way.

*Open space* shall mean any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such area may be improved with only those buildings, structures, streets and off-street-parking and other improvements that are designed to be incidental to the recreational use and enjoyment of the open space.

*Open space, common.* See "common open space."

*Open space, public* shall mean any open space area conveyed or otherwise dedicated to the City

or a City agency, Board of Education, State or County agency, or other public body for recreational and conservational uses.

*Owner/applicant* shall mean an individual, firm, association, syndicate, copartnership or corporation having sufficient proprietary interest to seek or authorize development of land under this chapter and State Statute.

*Parking area, private* shall mean any open area, including parking spaces, driveways and access aisles or other public way, used for the temporary storage of automobiles and other permitted vehicles for the private use of the owners or occupants of the lot on which the area is located.

*Parking area, public* shall mean any open area, including parking spaces, driveways and access aisles, other than a street or other public way, used for the temporary storage of automobiles and other permitted vehicles and available to the public, with or without compensation or as an accommodation for clients, customers and employees.

*Parking facility* shall mean any public or private parking area or garage.

*Party immediately concerned* shall mean for purposes of notice, any applicant for development, the owners of the subject property, and all owners of property and government agencies entitled to notice under this chapter.

*Pennant* shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

*Penthouse* shall mean a roofed enclosure up to twelve (12) feet in height on top of a building and occupying not more than twenty (20%) percent of the main roof area.

*Performance guarantee* shall mean any security, which may be accepted by the City to ensure the installation of public improvements or compliance with conditions imposed by the Planning Board or Zoning Board of Adjustment.

*Permit* shall mean a certificate issued to perform work under this chapter.

*Permitted use* shall mean any use which shall be allowed, subject to the provisions of this chapter.

*Permittee* shall mean any person to whom a permit is issued in accordance with this chapter.

*Person* shall mean corporation, company, association, society, firm, partnership or joint-stock company, as well as individual, the State and all political subdivisions of the State or any agency or instrumentality thereof.

*Personal services* shall mean establishments engaged in providing services involving the care of a person or their apparel, including but not limited to beauty shops, barber shops, shoe repair, tailors, nail salons, and photographic studios.

*Philanthropic or eleemosynary use* shall mean a use established by a nonprofit organization and funded through a foundation or other charitable means for the purpose of promoting human welfare. Such uses include "shelter for the homeless" and "soup kitchens," when operated by an organization as defined herein. Such a use does not include "community residences for the

developmentally disabled," "residential health care facilities" or "community shelters for victims of domestic violence" as defined in this section.

*Planned commercial development* shall mean an application for development involving two (2) acres or more to be developed according to a plan as a single entity containing one (1) or more structures with appurtenant common areas to accommodate commercial or office uses or both and any residential and other uses incidental to the predominant use as may be permitted by this chapter.

*Planned development* shall mean planned unit development, planned unit residential development, residential cluster, planned commercial development or planned industrial development.

*Planned industrial development* shall mean an application for development involving three (3) acres or more to be developed according to a plan as a single entity containing one (1) or more structures with appurtenant common areas to accommodate industrial uses and any commercial uses incidental to the predominant use as may be permitted by this chapter.

*Planned unit residential development* shall mean an area with a specified minimum contiguous acreage of two (2) acres or more to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriate commercial, and/or public or quasi-public uses all primarily for the benefit of the residential development.

*Planning Board* shall mean the Asbury Park Planning Board.

*Plat* shall mean a map or maps of a subdivision or site plan.

*Plat, final* shall mean the final map of all or a portion of a subdivision or site plan which is presented to the Planning Board or Board of Adjustment for final approval in accordance with this chapter.

*Plat, preliminary* shall mean the preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the Planning Board or Board of Adjustment for consideration and preliminary approval.

*Plat, sketch* shall mean the sketch map of a subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification.

*Porch* shall mean a roofed entrance or porte cochere not more than one (1) story in height which projects beyond the main building into the required front yard area; the porch shall not be enclosed permanently or temporarily, with any type of material, nor shall there be any construction between the roof and floor of the porch except for columns or posts necessary to support the roof or an open safety railing, which shall present no more than minimal obstruction to view; provided, however, that a portable storm vestibule not more than five (5) feet in any horizontal dimension is permissible during the fall and winter months and open wire mesh removable screening in the area aforesaid is permissible during the spring and summer months. ~~However, open balconies may be permitted above the first floor on buildings or structures that are built and utilized as motels, high-rise apartments or multifamily dwelling units, provided the balconies shall not extend more than six (6) feet beyond the building line.~~

*Preliminary approval* shall mean the conferral of certain rights pursuant to this chapter prior to

the final approval after specific elements of the development plan have been agreed upon by the Planning Board or Board of Adjustment and the applicant.

*Preliminary floor plan and elevations* shall mean architectural drawings prepared during early and introductory stages of the design of a project illustrating in a schematic form, its scope, scale and relationship to its site and immediate environs.

*Prohibited use* shall mean a use or use classification which is not expressly permitted in a zone district.

*Public areas* shall mean existing or proposed: (1) public parks, playgrounds, trails, paths and other recreational areas; (2) other public open spaces; (3) scenic and historic sites; and (4) schools and other public buildings and structures.

*Public development proposal* shall mean a master plan, capital improvement program or other proposal for land development adopted by the appropriate public body, or any amendment thereto.

*Public drainage way* shall mean the land reserved or dedicated for the installation of surface or subsurface storm water drainage systems.

*Quorum* shall mean a majority of the full authorized membership of either the Planning Board or Zoning Board of Adjustment.

*Recreation area* shall mean that portion of the designated open space of a development proposal which is specifically designed for the active or passive recreation of the residents of the development or general public, if so designated.

*Recreation, commercial* shall mean recreation facilities operated as a business and open to the public for a fee.

*Recreation facility* shall mean a place where sports, leisure time activities and customary and usual recreational activities such as set forth in major group #79 of the Standard Industrial Classification Manual are carried out.

*Region or regional* shall mean Monmouth County.

*Residential cluster* shall mean two (2) or more residential dwellings of one (1) or more housing types grouped together on a site so as to provide open space for the common use of the residents. The overall permitted residential density of a site with residential clusters shall be equal to that which is specified for the zone district.

*Residential health care facility* shall mean any establishment which furnishes food and provides any personal care or service beyond food, shelter, laundry and guidance, to any one (1) or more persons eighteen (18) years of age or older. For the purposes of this chapter, "homes for sheltered care," "rest homes" and "convalescent homes" are considered "residential health care facilities."

*Restaurant* shall mean an establishment where beverages and prepared food are served on the premises and where not less than seventy-five (75%) percent of the gross floor area is devoted to table or booth dining space for patrons.

*Resubdivision* shall mean: (1) the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law or (2) the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, but does not include conveyances so as to combine existing lots by deed or other instrument.

*Retail service* shall mean any establishment providing a service to the public at large for a fee, including but not limited to the following, except as otherwise provided in Section 30-71 of this chapter: eating and drinking places; offices for finance, insurance, real estate or travel services; personal grooming, garment and footwear services; business services; repair services except for automobiles and large items such as furniture and major household appliances such as refrigerators unless part of a retail sales business on the premises; recreation services except amusement arcades and billiard parlors; health services except licensed health care facilities and partial care programs; educational services restricted to accredited colleges or universities, licensed professional or trade schools and specialized skills training, such as dance, martial arts, fitness training or bartending schools; cultural services such as museums and art galleries.

*Retail trade* shall mean any establishment which engages in the sale of new merchandise to the public at large, including but not limited to the following except as otherwise provided in Section 30-71 of this chapter: hardware and garden supply; general merchandise and department stores; food stores; apparel and accessory stores; home furnishing and equipment stores; appliance and electronic equipment stores; miscellaneous retail except nonstore retailers, fuel and ice dealers.

*Retail used car dealership* shall mean a business where used passenger motor vehicles are displayed and sold by a dealer licensed by the State of New Jersey. A retail used car dealership shall not include a motor vehicle repair facility as defined in this section, but may include such maintenance activities for the purpose of servicing motor vehicles so as to make them comply with the laws of the State of New Jersey.

*Roomer/boarder* shall mean a person other than a member of a family or household occupying part of any dwelling unit, who, for a consideration, is furnished sleeping accommodations in such dwelling unit and may be furnished with meals or kitchen privileges, financial assistance, supervision or personal service as part of this consideration.

*Rooming house* shall mean a boarding house wherein no personal or financial services are provided to residents.

*Rooming unit* shall mean one (1) or more rooms arranged and intended for residential occupancy but lacking either private cooking or bathroom facilities. Bedrooms to which direct access is gained by individual key operated locks shall be considered "rooming units."

*Secondhand store* shall mean any commercial establishment devoted exclusively to the sale of used merchandise. For the purposes of this chapter, "pawn shops," "used furniture stores" and "thrift shops" shall be considered "secondhand stores;" while dealers of authentic antiques, "nonprofit or goodwill thrift stores" and "retail used car dealers" are not considered secondhand stores. The sale of used clothing other than in conjunction with a "nonprofit" thrift shop is prohibited.

*Sediment* shall mean any solid material that is in suspension and is being or has been moved by water, ice, wind, gravity or other means.

*Sedimentation* shall mean the transport and depositing of sediment.

*Senior citizen housing* shall mean a building or group of buildings containing three (3) or more dwelling units designed for and exclusively occupied by senior citizens.

~~*Sexual encounter establishment* shall mean an establishment other than a hotel, motel, or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two (2) or more persons may congregate, associate, or consort in connection with specified sexual activities or the exposure of specified anatomical area. This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State engages in sexual therapy.~~

*Sexually oriented business* shall mean (1) a commercial establishment, which as one of its principal business purposes offers for sale, rental, or display any of the following: Books, magazines, periodicals or other printed material, or photographs, films, motion pictures, video cassettes, slides or other visual representations which depict or describe a specified sexual activity or specified anatomical area; or still or motion picture machines, projectors or other image-producing devices which show images to one person per machine at any one time, and where the images so displayed are characterized by the depiction of a specified sexual activity or specified anatomical area; or instruments, devices, or paraphernalia which are designed for use in connection with a specified sexual activity; or (2) a commercial establishment which regularly features live performances characterized by the exposure of a specified anatomical area or by a specified sexual activity, or which regularly shows films, motion pictures, video cassettes, slides, or other photographic representations which depict or describe a specified sexual activity or specified anatomical area. As pertaining to the determination of a sexually oriented business, Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.

As pertaining to the determination of a sexually oriented business, Specified anatomical area means:

(1) Less than completely and opaquely covered human genitals, pubic region, buttock or female breasts below a point immediately above the top of the areola; or

(2) Human male genitals in a discernibly turgid state, even if covered.

As pertaining to the determination of a sexually oriented business, Specified sexual activity means:

(1) The fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast; or

(2) Any actual or simulated act of human masturbation, sexual intercourse or deviate sexual intercourse.

*Sight triangle* shall mean a triangular shaped portion of land established at intersections in accordance with the requirements of this chapter in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct sight distance.

Sign shall mean any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of or identify the purpose of any person or entity, or to communicate information of any kind to the public. The term "sign" includes sign structure. The following shall not be considered signs subject to the regulations of this chapter: artwork, holiday or seasonal decorations, cemetery markers, machinery or equipment signs, memorial signs or tablets, a name, identification, description, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or piece of land, directing attention to a product, business, service or individual. However, a sign shall not include a display of official, court or public notices, any official traffic control device and shall not include the flag, emblem or insignia of a nation, State, County, municipality or religious group. A sign shall not include a sign located completely within an enclosed building, except if it is visible and directed to be seen from outside the building. Each display surface of the sign shall be considered to be a single sign; except that where two (2) such surfaces of a sign are physically attached, parallel and separated by less than twelve (12) inches, the two (2) surfaces shall be considered a single sign. The sign area shall be measured according to the dimensions of the frame. Where there is no frame, the area shall be defined by a projected, enclosed, four (4) sided (straight sides) geometric shape which most closely outlines the sign.

Sign, advertising shall mean a sign, structure, symbol or billboard erected and maintained by an individual or corporation engaged in the sale or rental of space thereon to a clientele upon which space there is displayed advertising copy describing in a wide variety of products or services, which are not produced, assembled, stored or sold from the lot or premises upon which the advertisement is displayed.

Sign, animated shall mean a sign which includes action, motion, or color changes, or the optical illusion of action, motion or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn. ~~any sign that uses movement or change of lighting to depict action or create a special effect or scene.~~

Sign area shall mean the total area, as measured in square feet, of a sign surface, including all parts thereof devoted to the background including all borders and trim, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto. The area of a sign on an awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign. Supports that are not part of the sign face and contain no messaging shall not be included in the sign area calculation.

Sign, awning - See "canopy sign."

Sign, bandit - See "snipe sign."

Sign, blade shall mean a type of projecting sign that is mounted perpendicular to the building façade.

Sign, building or wall shall mean any sign erected, constructed or maintained on a building with the principal support of said sign being that building with its face in a parallel plane with the plane of the building facade or wall, that does not extend above the height of the vertical wall

~~or caves any sign attached to any part of a building, as contrasted with a freestanding sign.~~

~~Sign, building wrap shall mean a fabric banner covering the exterior of a building or exterior building wall which and is used to obscure buildings undergoing construction. Building wrap signs shall display a graphic reproduction of the completed building façade located behind the sign. Building wrap signs may contain text including the name and contact information of the developer and any associated symbols or logos, and/or text pertaining to the lease, rental or sale of the premises, or a portion of the premises.~~

~~Sign, canopy shall mean any sign that is a part of or attached to an awning or, canopy, i.e., or other a-fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.~~

~~Sign, changeable copy shall mean a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time and/or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.~~

~~Sign, construction shall mean a temporary, on-premises sign identifying an approved development during the construction phase of a project prior to completion of the work for which permission was granted containing sign copy that is limited to the development activity and identifying the owner/developer, contractors/subcontractors, designers, financiers or sponsors, a sign erected on the premises where construction is taking place or approved to take place, indicating the name and contact information of the developer and also may indicate the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.~~

~~Sign, directional shall mean a noncommercial on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message (e.g., (entrance," "exit," "caution," "no parking". "one way", "no trespassing," and the like).~~

~~Sign, double-faced shall mean a single sign with copy on both sides of the sign and mounted as a single structure.~~

~~Sign face shall mean the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose.~~

~~Sign, flashing shall mean a sign which permits light to be turned on or off intermittently more frequently than once per minute or any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a LED (light-emitting diode) or digital sign, and changes more frequently than once per minute.~~

~~Sign, freestanding shall mean a sign supported by structures or supports that are placed on or~~

anchored in the ground or at ground level and which are independent of any building or other structure.~~any sign supported by structures or supports that are placed on, anchored in, the ground and that are independent from any building or other structure.~~

Sign, future development shall mean a sign that functions to advertise the future or proposed development of the premises upon which the sign is erected.

Sign height shall mean the vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Sign, illegal shall mean any sign which was unlawfully erected or which has been determined to be in violation of any provision of Article XII of the Asbury Park City Land Development Ordinance.

Sign, illuminated shall mean any sign or portion thereof that is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Sign, identification shall mean any sign, symbol, trademark, structure or similar device used to identify the occupant of any structure, the product made or the activity being pursued by an individual, business, service, commercial or industrial activity which is displayed upon the lot or premises occupied by a person or entity for the purpose of apprising the public of the location of such enterprise and the type of activity in which it is engaged.

Sign, incidental shall mean a sign not exceeding one square foot in size attached to a freestanding sign or affixed to a wall that either:

A. Identifies credit cards accepted by the owner, tenant or occupant of the lot where the incidental sign is located; or

B. Provides an official notice of services required by law or trade affiliation.~~a sign, generally informational, that has a purpose secondary to the use of the property on which it is located, such as "no parking," "entrance," "loading only," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.~~

Sign, intermittent shall mean a sign which permits light to be turned on or off intermittently more frequently than once every 24 hours or which is operated in a way whereby light is turned on or off intermittently more frequently than once every 24 hours, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a LED (light-emitting diode) or digital sign, and that varies in intensity or color more frequently than once every 24 hours.

Sign maintenance shall mean replacing, repairing or repainting a portion of a sign structure, or periodically changing copy or renewing copy, which has been made unusable by ordinary wear.

Sign, nameplate or Occupant identification shall mean a sign indicating the name and/or profession or address of a person or persons residing or legally occupying the premises.

Sign, nonconforming shall mean a sign that was lawfully erected but no longer conforms to the regulations provided in Chapter 30 of the Asbury Park City Land Development Regulations.~~any~~

sign that does not conform to the requirements of this chapter.

Sign, off-premises or off-site shall mean any sign relating in its subject matter to commodities, accommodations, services or activities on premises other than the premises on which the sign is located.

Sign, permanent shall mean any sign which, when installed, is intended for permanent use. For the purposes of this chapter, any sign with an intended use in excess of six months from the date of installation shall be deemed a permanent sign.

Sign, portable shall mean any sign, banner or poster that is not permanently attached to the ground or structure. For purposes of this chapter, an inflatable sign shall be considered a portable sign. ~~any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked or visible from the public right of way, unless such vehicle is used in the normal day-to-day operations of the business.~~

Sign, projecting shall mean a sign mounted perpendicular to the building façade. ~~any sign affixed to a building or wall in such manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.~~

Sign, real estate shall mean a sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily. ~~pertaining to the lease, rental or sale of the premises, or a portion of the premises on which the sign is located.~~

Sign, residential shall mean any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods and services legally offered on the premises where the sign is located, if offering such goods or services at such location conforms with all requirements of the Land Development Regulations.

Sign, revolving or rotating shall mean any sign that revolves or rotates.

Sign, roof shall mean any sign erected and constructed wholly on or over the roof of a building which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building. For purposes of this definition, "roofline" shall mean the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal eave or the highest line common to one or more principal eaves of a roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher. ~~and over the roof of a building, supported by the roof structure.~~

Sign, roof, integral shall mean any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

Sign, safety - See "warning sign."

Sign, sandwich board shall mean a temporary, portable, double-faced, freestanding sign in an "A-Frame" configuration and that is supported only by the two panels that also serve to display

the message(s), or the legs that serve as the frame for display panels. Such signs shall not include any supporting elements separate from the display panels themselves.

Sign, snipe (bandit sign) shall mean any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, rocks or other natural features, or poles, stakes or fences with the message appearing thereon not applicable to the present use of the premises upon which the sign is located. This shall not include warning signs such as "no trespassing" signs or "no hunting" signs.

Sign, special event shall mean a sign, regardless of its content, providing notice of or direction to an event, gathering, assembly or meeting that is open to the public at large.

Sign, statutory shall mean a sign required by any statute or regulation of the State of New Jersey or United States.

Sign, street address shall mean any sign denoting the street address of the premises on which it is attached or located.

Sign structure shall mean any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports or other components attached to or placed around the sign structure.

~~Sign, suspended shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.~~

Sign, temporary shall mean a sign intended for a use not permanent in nature. A sign with an intended use of 60 days or less shall be deemed a temporary sign, unless specified otherwise herein.~~any sign that is used only temporarily and is not mounted permanently.~~

Sign, traffic control device shall mean any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the national standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational or cultural information).

Sign, vehicle shall mean any sign or signs where the total sign area covers more than 10 square feet of the vehicle.

Sign, viewpoint shall mean a sign communicating information or views on matters of public policy or public concern or containing any other noncommercial message, that is otherwise lawful. Viewpoint signs are exempt from content regulations within the scope of protected speech; and any other requirements in conflict with federal and state common law protecting expressive activity and viewpoint communication.

~~Sign, wall shall mean any sign attached parallel to, but within six (6) inches of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one~~

~~(t) sign surface.~~

Sign, warning or Safety sign shall mean a sign that functions to provide a warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that functions to provide a warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

Sign, wind shall mean a sign which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include banners, pennants, ribbons, spinners, streamers or captive balloons; however, the term "wind signs" shall not include flags.

Sign, window shall mean any sign mounted in any fashion on the interior or exterior of the surface of a window. ~~any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.~~

Site shall mean any plot or parcel of land or combination of contiguous lots or parcels of land.

Site plan shall mean a development plan of one (1) or more lots on which is shown: (1) the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, flood plains, marshes and waterways; (2) the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices; and (3) any other information that may be reasonably required in order that an informed determination may be made by the Boards pursuant to this chapter.

Soil Conservation District shall mean the governmental subdivision of this State which encompasses this City, organized in accordance with the provisions of Chapter 23, Title 4 (N.J.S.A. 4:24-1 et seq.).

Soil Erosion and Sedimentation Control Plan shall mean a plan which indicates necessary land treatment measures, including a schedule for installation, which will effectively minimize soil erosion and sedimentation. Such measures shall be at least equivalent to the standards and specifications as adopted by the ~~Monmouth County~~ Freehold Soil Conservation District.

Soup kitchen/food pantry shall mean an establishment engaged primarily in distributing food directly to the needy, for free or at very low cost.

Special anatomical areas shall mean and include any of the following: (1) less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the areola; or, (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Special question shall mean a matter which is brought before the Zoning Board of Adjustment pursuant to subsection 30-22.3b. Special questions shall be exempt from the notice requirements of subsection 30-29.2.

~~Specified sexual activities shall mean and include the following: (1) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; (2) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; (3)~~

masturbation, actual or simulated; (4) excretory functions as part of or in connection with any of the activities set forth in subparagraphs (1) through (3) of this definition.

Stacked parking shall mean motor vehicle parking spaces which conform to the minimum stall width and length requirements of subsection 30-59 but which are stacked vertically atop one another.

*Step-down facilities* shall mean a residential facility consisting of living accommodations for former patients diagnosed and treated in a medical institution for a high risk transmittable disease such as Acquired Immune Deficiency Syndrome (AIDS) and where specialized medical care continues to be provided to such residents. Step-down facilities, as herein defined, shall be regulated as a "community residence" in accordance with the provisions of subsection 30-76.3c., except that such provisions shall apply to former patients diagnosed and treated in a medical institution for a high risk transmittable disease rather than to "developmentally disabled" or "mentally ill" persons.

Stoop shall mean a narrow staircase ending with an uncovered platform at a building entrance.

*Stormwater detention* shall mean any storm drainage technique which retards or detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

*Story* shall mean that portion of a building included between the surface of any floor and the surface of the floor next above it, or in its absence, the ceiling or roof above. ~~A basement, as defined in this section, shall be considered that portion of a "story" when its ceiling height above the average finished grade bears to the height of the "story."~~

*Story, half* shall mean a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space, the possible floor area with head room of five (5) feet or less occupies at least forty (40%) percent of the total area of the story directly beneath.

*Street* shall mean any street, avenue, boulevard, road, parkway, viaduct, drive or other way: (1) which is an existing State, County, or municipal roadway; or (2) which is shown upon a plat heretofore approved pursuant to law; or (3) which is approved by official action as provided by this act; or (4) which is shown on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats; and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines. An alley, as defined in Section 30-15, does not constitute a "street" as is defined herein and lots having frontage on an alley shall not be construed as having frontage on a street for the purposes of compliance with paragraph e of subsection 30-68.2.

*Street, arterial* shall mean: (1) a street so designated in the duly adopted or revised Asbury Park Master Plan; or (2) a street used and intended as a thoroughfare between neighborhoods and as a connector to major highways.

*Street line* shall mean the dividing line between a street and an abutting lot.

*Street, local* shall mean a street which is used and intended primarily for access to abutting properties.

*Structural alteration* shall mean any change and/or modification to a structure as herein defined.

*Structure* shall mean a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above or below the surface of land or water.

*Structure, advertising* shall mean any rigid or semi-rigid material with or without a sign displayed thereon, situated upon or attached to real property outdoors for the purpose of furnishing a background, base or support on which a sign may be posted or displayed.

*Subdivision* shall mean the division of a lot, tract or parcel of land into two (2) or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this chapter if no new streets are created: (1) divisions of land found by the Planning Board to be for agricultural purposes where all resulting parcels are five (5) acres or larger in size; (2) divisions of property by testamentary or intestate provisions; (3) divisions of property upon court order; and (4) conveyances so as to combine existing lots by deed or other instrument. The term "subdivision" shall also include the term "resubdivision."

*Substantial improvement* shall mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure either: (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications, which are solely necessary to assure safe living conditions; or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

*Tandem parking* shall mean motor vehicle parking spaces which conform to the minimum stall width and length requirements of subsection 30-59 but which are oriented with one space in front of another with no aisleway or other space between them.

*Temporary structure* shall mean a tent or similar structure made of solid or flexible materials. No tent or other temporary structure shall be erected for a period exceeding fourteen (14) days in any twelve (12) month period.

*Theme entertainment center* shall mean one (1) or more buildings arranged and intended to provide various forms of entertainment based upon a central theme and designed to educate participants and spectators on subject matter related to that theme.

*Townhouse* shall mean a multi-family housing style that consists of not less than three (3) single-family attached dwelling units, in one structure, separated by vertical party walls, an attached or semi detached dwelling with two (2) direct means of access from the outside, and having separate cooking, sleeping and sanitary facilities, and separate facilities for sewerage,

~~heating, water, electric and gas.~~

*Tract* shall mean property which is the subject of a development application.

*Trailer* shall mean a vehicle used for carrying people, carrying or storing material or objects, or for temporary working, living or sleeping purposes, and standing on wheels or on rigid supports.

*Twin house.* See "dwelling, semi-detached."

*Urgent Care* shall mean any use engaged in providing walk-in, extended hour access for acute illness and injury care that is either beyond the scope or availability of the typical primary care practice or medical clinic. No overnight patients shall be kept on the premises. Medical offices and hospitals shall not be included.

*Variance, bulk* shall mean relief ~~a waiver~~ from the literal application of any of the standards or requirements of Article VI of this chapter, other than permitted uses and as specified in the Municipal Land Use Law (N.J.S.A. 40:55D-70c).

*Variance, use* shall mean relief ~~a waiver~~ from the literal application of any of the standards of Article VI of this chapter, governing permitted land uses and as specified in the Municipal Land Use Law (N.J.S.A. 40:55D-70d).

*Vehicle, motor* shall mean any device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, or motorized bicycles.

*Vehicle, recreational* shall mean vehicular type, portable structures which can be towed, hauled or driven, primarily designed as temporary living accommodations for recreational, camping and travel use and including travel trailers, truck campers, camping trailers and self-powered motor homes.

*Vehicular sale area* shall mean an open area, other than a right-of-way or public parking area, used for display, sale or rental of new or used vehicles in operable condition and where no repair work is done.

*Warehouse* shall mean an establishment in which the principal use is long or short term storage and which is inaccessible to the public during normal business hours for the purpose of purchasing merchandise.

*Yard* shall mean the exterior open area between the wall of a building or structure and a lot line.

*Yard, aggregate side* shall mean the sum of the two (2) side yards of a building or structure.

*Yard, front* shall mean the exterior open area extending the full width of the lot between the street line and the nearest front wall of a building or structure.

*Yard, rear* shall mean the exterior open area extending the full width of the lot area between the nearest rear wall of a principal building or structure and the rear lot line.

*Yard, side* shall mean the exterior open area between the side lot line and the side wall of a

building or structure and extending from the front yard to the rear yard.

*Zoning Board of Adjustment* shall mean the Asbury Park Zoning Board of Adjustment.

*Zoning boundary* shall mean the dividing line between one (1) zoning district and another.

*Zoning district* shall mean a contiguous area delineated on the duly adopted and revised Zoning Plan Map which is attached to and made a part hereof, where land uses and development are regulated as specified in this chapter.

*Zoning permit* shall mean a document signed by the Zoning Officer or Zoning Inspector which is required by this chapter, as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion, or installation of a structure or building; and which acknowledges that such use, structure or building complies with the provisions of this chapter or variance therefrom.

## Draft Community Design Standards Update for Asbury Park

Replace/Add the following text:

### ~~30-64~~ **Reserved: Community Design Regulations**

#### **30-64.1 Purposes.**

Pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-65i, this section is intended to preserve and protect the character of residential neighborhoods and commercial districts in the City in a manner consistent with their architectural history as set forth in the Historic Preservation Element of the Asbury Park Master Plan (1990) and the ~~Land Use Plan Element of the~~ Asbury Park Master Plan (2017). The standards contained herein are designed to provide for new development ~~on vacant lots~~ and additions to existing structures that are consistent and complimentary to original homes and buildings. This section is also intended to provide design standards for non-residential and mixed-use development in low density residential neighborhoods so as to preserve and enhance ~~property values for the public welfare~~ the built environment.

#### **30-64.2 Applicability.**

The standards of this section shall apply to all residential historic districts, now or hereafter designated, and to all R1, R2, ~~R1A~~ R3 and ~~B PO~~ zones, as shown on the Official Zoning Map, as amended.

#### **30-64.3 Rehabilitation.**

No porch or other architectural feature such as cornices, columns, dormer windows, railings, doors, etc., required under this section and present on an existing building in a historic district on the effective date of this section shall be removed unless it is replaced with same, if element is architecturally accurate, or replaced with construction to be in character with the building and historic district in which it is located and is replaced in accordance with the standards set forth herein. The architectural elements to be included will be based upon the building's style and structures of similar use already existing within the block fronts on either side of the street within which the site of the proposed construction is located. ~~Primary entrance doors cannot be relocated to face side yard.~~ Existing historic buildings shall retain their distinguishing features as part of any renovation or building additions.

#### **30-64.4 New Construction.**

In addition to the standards for height, bulk and yards set forth in Section 30-67, the following standards shall be met:

- a. *Building Height.* A new building to be constructed within a designated district as described in this section must have two (2) stories, unless more than fifty (50%) percent of the existing homes on the same block and facing the same street have less than two (2) stories.

b. *Massing.* A new building to be constructed ~~on a vacant lot~~ within a designated district as described in this section must include a variety of structural or ornamental indentations and/or projections consistent with those present on at least fifty (50%) percent of the existing homes on the same block and facing the same street. At minimum, an open front porch, constructed of wood and with railings and trim consistent with other homes in the immediate neighborhood, shall be provided unless more than fifty (50%) percent of the existing homes on the same block and facing the same street have no front porch. Other examples of applicable recessed or projecting features include dormers, bay windows, turrets, recessed entrances, chimneys, etc. All porch and deck railings shall be thirty-six (36) inches in height or as otherwise required under the Uniform Construction Code (N.J.A.C. 5:23, et seq.) and shall include either square, cylindrical or lathed balusters spaced two (2) to four (4) inches apart (see illustration), or decorative railings made of wrought iron or other style and material compatible with Victorian Period architecture.

c. *Roof Treatments.* A new building to be constructed ~~on a vacant lot~~ within a designated district as described in this section must be designed with at least one (1) roof type present on two (2) or more homes within the same block and facing the same street. In the event that two (2) or more adjoining lots become vacant within a block front, the home constructed on any individual lot must include a roof consistent with one (1) or more of the following: Gambrel, High or acute angle Gable, Mansard, or Hip. These roof types are illustrated below.

d. *Ornamentation.* A new building to be constructed ~~on a vacant lot~~ within a designated district as described in this section must be designed with at least one (1) type of ornamentation present on two (2) or more homes within the same block and facing the same street. In the event that two (2) or more adjoining lots become vacant within a block front, the home constructed on any individual lot must include ornamentation consistent with one (1) or more of the following: Palladian window or equivalent; cornices or sashes; small paned windows; door openings with fan and side windows; polygonal or cylindrical towers; stained glass windows; lathed balusters; etc. These examples are illustrated below.

e. *Materials.* A new building to be constructed ~~on a vacant lot~~ within a designated district as described in this section must be designed with at least one (1) type of building material used for siding and roofing present on two (2) or more homes within the same block and facing the same street. In the event that two (2) or more adjoining lots become vacant within a block front, the home constructed on any individual lot must include a siding or roofing material consistent with one (1) or more of the following: clapboard or cedar shingle siding or equivalent; shingle roof - including slate shingles, if feasible; standing seam metal roofs; brick or stucco facades, etc. Some of these examples are illustrated in the composite illustration above.

f. *Orientation.* A building to be constructed within a designated district as described in this section must have the primary façade and front entrance of the principal structure facing the public sidewalk and street. Front/primary entrance doors are not permitted facing side yards. No blank walls shall face a street. Garage doors/openings are prohibited from facing the street unless located behind the rear building wall of the residence. The façade of an attached garage shall be offset behind the front building wall of the residence at least five (5) feet. ~~Doors. A building to be constructed on a vacant lot within a designated district as described in this section must have the primary façade and front entrance of the principal structure facing the public sidewalk and street. Front/primary entrance doors are not permitted facing side yards.~~

### 30-64.5 Additions to Existing Homes.

In addition to the standards for height, bulk and yards set forth in Section 30-67, the following standards shall be met:

a. *One Story Design of Additions.* An addition to an existing home within a designated district that is proposed at one (1) story in height shall be limited to the side or rear yard and should use common or visually related materials with to those comprising the existing principal building the main house. Rooflines may be extended from the eaves of the second story roof or may incorporate a new compatible roof based on this section. The pitch of new roofs may vary from the pitch of existing roofs. The same standards for ornamentation for new construction shall be applied to additions to existing buildings. The architecture of any new addition shall be compatible with the architecture and overall composition of building elements exhibited in the existing principal building. Safety railings for new decks and porches shall conform with subsection 30-64.4b.

b. *Two Story Additions.* An addition to an existing home within a designated district that is proposed at two (2) stories in height shall be limited to the side or rear yard and should use common materials with the main house. Rooflines may be extended from the existing house or may incorporate a new compatible roof based on this section. The same standards for ornamentation shall be applied to two (2) story additions as are applied to new construction. Safety railings for new decks and porches shall conform with subsection 30-64.4b.

### 30-64.6 Undeveloped Lots.

Any building to be constructed on any vacant lot shall include design features typical of the ~~election~~ district neighborhood or zoning district in which the property is situated. Such design features shall include the height of the building, its massing, roof treatment, ornamentation and building materials. The Zoning ~~Enforcement~~ Officer shall review applications for the development of residences on vacant properties to determine whether the provisions of Section 30-64.9 are satisfied. ~~The Zoning Enforcement Officer may refer such applications to the Planning Board.~~

### 30-64.7 Commercial and Mixed Use Buildings.

Commercial and mixed use buildings are required to be oriented to the primary street on which they have frontage and designed to incorporate building scale and massing that is compatible with a walkable environment. This includes a building's height, setback, façade composition, fenestration and materials. Such features should be compatible with and complement the historic architectural styles prevalent in the City's business districts and create a visually appealing streetscape.

## Draft Zoning Amendments for Asbury Park

Replace/Add the following new text:

### 30-65 PURPOSE AND INTENT.

a. The purpose of this article is to provide precise and detailed standards by which to guide the type and intensity of development in the City. It is intended to facilitate controlled growth and redevelopment in accordance with the Master Plan; including the Waterfront Redevelopment Plan and any other Master Plan amendments or revisions hereafter adopted.

b. This Zoning Article shall be termed permissive in structure. After the effective date of this article no use or structure shall be permitted in the City which is not listed as a permitted, accessory, or conditional use, or unless permitted by action of the Zoning Board of Adjustment.

(2000 Code § 30-65)

### 30-66 ZONE DISTRICTS.

#### 30-66.1 Designation of Zoning Districts.

For the purpose of this chapter, the City is hereby divided into districts or zones, to be designated as follows:

R1 Single Family Residential

~~R1A Single Family Attached Residential~~

R2 One and Two to Four Family Residential

R3 ~~Medium Density~~ Multifamily Residential

~~B1 Downtown Retail District~~

~~B2 Business Main Street Retail Sales and Service~~

~~NC Neighborhood Commercial~~

L-I Light Industrial

~~PO Professional Office~~

P1 Parks

P2 Schools ~~Municipal Property~~

~~P4 Schools~~

Deal Lake Drive Inclusionary Housing District

WRA Waterfront Redevelopment Area

MSRA Main Street Redevelopment Area

CBD Central Business District Redevelopment Area

STAR S.T.A.R.S. Redevelopment Area

SAR Springwood Avenue Redevelopment Area

WARA Washington Avenue Redevelopment Area

Scattered Site Redevelopment Program Phase 1A

1001 First Avenue Redevelopment Area (2000 Code § 30•66.1)

### **30-66.2 Zoning Map.**

The location and boundaries of the above districts are hereby established on the Zoning Map of the City, which is adopted by and made a part of this Chapter. The map or maps and all notations, references and designations shown thereon shall be a part of this Chapter as if the same were all fully described and set forth herein. The map shall also be the Official Map of the City pursuant to N.J.S.A. 40:55D-32. (The Zoning Map can be found in the City offices.) (2000 Code § 30• 66.2)

#### **30-66.2A — Zoning Map Amendments.**

a. ~~S.T.A.R.S. Redevelopment Zone and Waterfront Redevelopment Zone.~~

1. ~~The City Engineers, T&M Associates, have updated the City Zoning Map to add the S.T.A.R.S. Redevelopment Zone and the Waterfront Redevelopment Area boundaries.~~

2. ~~The areas that were added were based upon the S.T.A.R.S. Redevelopment Area Ordinance 2548, which was certified on July 6, 2000, and the Waterfront Redevelopment Area Ordinance No. 2607, certified June 6, 2002.~~

3. ~~The specific changes to the Zoning Map are as follows:~~

(a) ~~The S.T.A.R.S. Area boundary has been added and the new Neighborhood Commercial (NC) S.T.A.R.S. District along with the Residential Redevelopment (RR) District have been shown.~~

~~No separate designation has been provided for the S.T.A.R.S. Neighborhood Commercial Area (NC) Zone, other than a distinct color differentiation from the existing NC Zone, which exists throughout the City.~~

(b) ~~The Waterfront Redevelopment Area boundary has been added and there has been a differentiation of the Renovation Infill Overlay Zone from the Prime Renewal Area. The Prime Renewal Area is shown as the "WRA" Zone and now fully encompasses the entire existing Prime Renewal Area and the P1 and P2 Properties which were previously designated on the Zoning Map in the Prime Renewal Area. The southern half of Block 141 (Lots 1 to 5), fronting on Sewall Avenue, between Grand Avenue and Heck Street, is now part of the Professional Office (R2PO) Zone.~~

~~The Zoning Map is added, as amended above and annexed hereto and made a part hereof, to subsection 30-66.2 and shall replace the prior Zoning Map in said subsection. (The Zoning Map can be found in the City offices.) (Ord. No. 2638)~~

### **30-66.3 Designation of District Boundaries.**

a. Unless otherwise noted, the district boundary lines are intended generally to follow the center lines of streets; the center lines of railroad rights-of-way; existing lot lines; the center lines of rivers, streams and other waterways; and Municipal boundary lines. However, where a district boundary line does not follow such a line, its position shall be shown on the Zoning Map by a specific dimension expressing its distance in feet from a street line or other boundary line as indicated.

b. In the event a district boundary line divides one (1) or more lots, the zoning regulations of the zoning district which has the larger portion of the lot area shall apply. If the portions of the lot in each zoning district are equal, the zoning regulations of the least intense permitted uses shall apply. ~~then the zone boundary line shall be considered the lot limit for computing all area, bulk, yard, buffer and any other dimension requirements specified in this article, unless a zone district boundary line falls within twenty (20) feet of a lot line existing at the time of passage of this chapter, then the lot line shall be considered the zone boundary line.~~

c. In cases of uncertainty or disagreement as to the true location of any district boundaryline, the determination shall be made by the Board of Adjustment. (2000 Code § 30•66.3)

### 30-67 SCHEDULE OF ZONE DISTRICT AREA, YARD AND BUILDING REQUIREMENTS.

The Schedule of Area, Yard and Building Requirements is contained in Schedule 1. (2000 Code § 30•67)

SCHEDULE 1: SCHEDULE OF HEIGHT, YARD AND BULK REQUIREMENTS—COMMERCIAL  
City of Asbury Park (Section 30-67)

| Zone                   | Lot Size                                                  | Lot Width                                                  | Front Yard                                                                     | Side Yard                                                                                                                                                | Agg. Side                   | Rear Yard | Height                     | Bldg. Cov. | Imp. Cov.  | Density            | FAR        |
|------------------------|-----------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|----------------------------|------------|------------|--------------------|------------|
| R1                     | 5,000 sq. ft.                                             | 50 ft.                                                     | 25 ft. <sup>1</sup>                                                            | 6 ft.                                                                                                                                                    | 14 ft.                      | 25 ft.    | 2.5 st. 30 ft.             | 30%        | 65%        | N/A                | N/A        |
| R2                     | 2,500 sf./unit                                            | 50 ft.                                                     | 25 ft. <sup>1</sup>                                                            | 6 ft.                                                                                                                                                    | 14 ft.                      | 25 ft.    | 2.5 st. 30 ft.             | 30%        | 65 %       | 17 D.U./Ac.        | N/A        |
| R3<br>1-2 Fam<br>Multi | Same as R1<br>10,000 s.f                                  | Same as R1<br>100 ft.                                      | 30 ft. <sup>1</sup>                                                            | Same as R1<br>20% of Lot Width                                                                                                                           | Same as R1<br>40% Lot Width | 30 ft.    | Same as R1<br>5 st. 60 ft. | 30%        | 65%<br>65% | N/A<br>50 D.U./Ac. | N/A<br>1.5 |
| B                      | Vacant parcels: 5,000 sf<br>All others: existing lot area | Vacant parcels: 5,000 sf<br>All others: existing lot width | Memorial Dr.: Min 10 ft; Max 25 ft<br>All other streets: Min. 0 ft; Max. 10 ft | Adjacent to non-residential district or use: none<br>Adjacent to residential district or use: floors 1-3 = 5 ft.<br>floor 4 = 15 ft.<br>floor 5 = 25 ft. | N/A                         | 10 ft.    | 4 stories. 50 ft.          | 80%        | 80%        | 40 du/ac           | 2.5        |
| LI                     | 10,000 s.f.                                               | 75 ft.                                                     | 10 ft.max.                                                                     | 5 ft.                                                                                                                                                    | 10 ft.                      | 20 ft.    | 3 st. 40 ft.               | 80%        | 90%        | N/A                | 1          |

1 The minimum required front yard setback shall be the prevailing setback of principal structures along the same block frontage and facing the same street. Refer to §30-15 Definitions.

**Commercial Uses Part 1**

| ZONE | Min. Lot Size                             | Min. Lot Width | Min. Side Yd.                | Min. Agg. Side | Min. Front Yd. |
|------|-------------------------------------------|----------------|------------------------------|----------------|----------------|
| B1   | None                                      | None           | None or 5' to abutting bldg. | --             | None           |
| B2   | None                                      | None           | Same as B1                   | --             | 10 ft.         |
| NC   | 5,000 s.f.                                | 50 ft.         | Same as B1                   | --             | 10 ft. min.    |
| PO   | 5,000 s.f.                                | 50 ft.         | Same as R1                   | Same as R1     | Same as R1     |
| L1   | None                                      | None           | Same as B1                   | --             | 10 ft.         |
| WRA  | PURSUANT TO WATERFRONT REDEVELOPMENT PLAN |                |                              |                |                |

**Commercial Uses Part 2**

| ZONE | Min. Rear Yd.                             | Max. Density | Max. FAR | Min. OSR | Max. Bldg. Cov.    | Max. Height  | Height/Acc. Bldg.     |
|------|-------------------------------------------|--------------|----------|----------|--------------------|--------------|-----------------------|
| B1   | 10% Lot Depth ±                           | --           | 2.5      | --       | 90% above 1st St.  | 6 st. 75 ft. | Same as Princ. Struc. |
| B2   | Same as B1                                | --           | 1        | --       | Same as B1         | 3 st. 40 ft. | Same as Princ. Struc. |
| NC   | 30 ft.                                    | --           | 0.75     | --       | 50%/80% w. Parking | 3 st. 30 ft. | Same as Princ. Struc. |
| PO   | Same as R1                                | --           | 0.75     | --       | 35%/50% w. Parking | 3 st. 30 ft. | Same as Princ. Struc. |
| L1   | Same as B1                                | --           | 2.5      | --       | Same as B1         | 3 st. 40 ft. | Same as Princ. Struc. |
| WRA  | PURSUANT TO WATERFRONT REDEVELOPMENT PLAN |              |          |          |                    |              |                       |

\*Notes can be found at the end of the Schedule.

**SCHEDULE 1: SCHEDULE OF HEIGHT, YARD AND BULK REQUIREMENTS — RESIDENTIAL**  
**City of Asbury Park (Section 30-67)**

**Residential Uses Part 1**

| ZONE | Min. Lot Size                             | Min. Lot Width | Min. Side Yd.          | Min. Agg. Side          | Min. Front Yd. |
|------|-------------------------------------------|----------------|------------------------|-------------------------|----------------|
| R1   | 5000 sq. ft.                              | 50 ft.         | 6 ft.                  | 14 ft.                  | 25 ft.         |
| R1A  | 5000:22000 T.H.                           | 50:20 T.H.(a)  | 6:0-10 T.H.            | 14:0-10 T.H.            | 25 ft.         |
| R2   | 2500 s.f./unit                            | 50 ft.         | 6                      | 14                      | 25 ft.         |
| R3   | 10000 s.f.                                | 50:100 Multi.  | 6:Multi. 20% Lot Width | 14:Multi. 40% Lot Width | 30 ft.         |
| PO   | 2500 s.f./unit                            | 50 ft.         | Same as R2             | Same as R2              | Same as R2     |
| NC   | Same as R2                                | Same as R2     | Same as R2             | Same as R2              | Same as R2     |
| WRA  | PURSUANT TO WATERFRONT REDEVELOPMENT PLAN |                |                        |                         |                |

## Residential Uses Part 2

| ZONE | Min.-Rear Yd.                             | Max. Density | Max. FAR   | Min. OSR  | Max. Bldg. Cov. | Max. Height    | Height/Acc. Bldg.     |
|------|-------------------------------------------|--------------|------------|-----------|-----------------|----------------|-----------------------|
| R1   | 25 ft.                                    | 8 D.U./Ae.   | 0.5        | —         | 25%             | 2.5 st. 30 ft. | 15 ft.                |
| R1A  | 25 ft.                                    | 10 D.U./Ae.  | 0.5        | 0.35-T.H. | 25% max. T.H.   | 3 st. 30 ft.   | 15 ft.                |
| R2   | 25 ft.                                    | 17 D.U./Ae.  | 0.5        | —         | 25%             | 2.5 st. 30 ft. | 15 ft.                |
| R3   | 30 ft.                                    | 50 D.U./Ae.  | 0.5        | 0.3       | 25%/35% Multi.  | 5 st. 60 ft.   | 15 ft.                |
| PO   | Same as R2                                | Same as R2   | Same as R2 | —         | 35%             | 3 st. 30 ft.   | 15 ft.                |
| NC   | Same as R2                                | 17 D.U./Ae.  | 0.75       | 0         | 35%             | 3 st. 40 ft.   | Same as Princ. Struc. |
| WRA  | PURSUANT TO WATERFRONT REDEVELOPMENT PLAN |              |            |           |                 |                |                       |

\*Notes can be found at the end of the Schedule.

## NOTES: SCHEDULE 1 — Height, Yard and Bulk Requirements.

- (a) Minimum tract area for townhouse developments is twenty thousand (20,000) square feet and minimum tract frontage is one hundred (100) feet (See subsection 30-73.5, "Townhouse Developments"). Developments using three (3) or more attached "townhouse" style dwelling units and where the entire development is in a condominium form of ownership shall be considered multi-family residential uses and shall conform to the requirements of the zones in which they are located.
- (b) All residential dwelling units in a Commercial Zone shall be located on the second floor or above. Setback pertains to the portion of the building used for residential purposes in whole or in part.
- (c) The open space requirement in the Residential and B1 Zones may be met through provision of interior recreation areas, balconies and rooftop terraces.
- (d) Minimum lot sizes, lot widths and yard requirements apply to multi-family residential developments with densities equal to or less than the maximum permitted in the zone. A lot that has lot area or lot width less than the minimum permitted in the zone shall be developed in accordance with all requirements of a less dense residential zone containing minimum lot size and width requirements to which it conforms. One-family dwellings are permitted according to the requirements of the R1 Zoning districts and two-family uses may be developed according to R2 Zone requirements.
- (e) Front yards shall be appropriately landscaped with trees and shrubs. Landscape treatment subject to the approval of the Planning Board.

## 30-68 SUPPLEMENTARY ZONE DISTRICT REGULATIONS.

## 30-68.1 General.

- a. No building or structure shall be erected and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land or building be designed, used, or intended to be used for any purpose or in any manner other than as specified among the uses listed as permitted, accessory or conditional in the district in which such building or land is located.
- b. No building or structure shall be erected, reconstructed or structurally altered to exceed in height the limit designated for the district in which such building or structure is located.
- c. No building or structure shall be erected, no existing buildings or structures shall be altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the yard, lot area and building location regulations hereinafter designated for the district in which such building or open space is located. No yard or other open space

provided for any building for the purpose of complying with the provisions of this article shall be considered as providing a yard or other open space for any other building on any other lot.

d. No land in a residential zone shall be used to fulfill open space, minimum area, minimum yard and setback requirements, parking or other similar requirements for uses in nonresidential zones.

e. The area or dimension of any lot, yard, parking area or other space shall not be reduced to less than the minimum required by this article; and if already less than the minimum required by this chapter, the area or dimension shall not be further reduced.

f. The maximum floor area ratio specified in this article shall not be exceeded, or, if already more than the maximum, shall not be further increased. The minimum open space ratio specified in this article shall be maintained, or, if already less than the minimum, shall not be further reduced.

g. Sexually oriented businesses are prohibited within all zoning districts.

### 30-68.2 Lot Regulations.

a. Nonconforming Lot. Notwithstanding any other provisions of this Article, any existing nonconforming lot in the R1, ~~R1A~~, R2 and R3 Zones which is not adjacent to any other lot under the same ownership and which is nonconforming due to width or area may be improved with a new building or structure in accordance with the requirements of this article, provided that:

1. The minimum setbacks and other requirements shall be as specified in Schedule 1 except as noted below.
2. Required side street setbacks on corner lots may be reduced one (1) foot for each three (3) feet the lot is under the minimum width required in the zone district but shall not be reduced below one-half (1/2) the minimum required setback.
3. In no case shall a detached residential structure be less than twenty (20) feet in length or width.

b. Lot Width. On regularly shaped lots, the minimum lot width of any lot shall be measured at the front property line and required front yard setback line as required for the zone in which it is located and shall be maintained for a distance of not less than forty (40) feet to the rear of the required front yard setback line. Where lots front on cul-de-sacs or curved streets, the minimum lot width may be sixty-five (65%) percent of the required minimum or fifty (50) feet, whichever is greater, measured on the arc of the right-of-way line.

c. Corner Lots. Corner lots shall have two front yards, one rear yard and one side yard. The required front yard shall be maintained on both streets except as otherwise permitted in this article.

d. Through Lots. A through lot in a residence zone shall be considered as having two (2) street frontages, both of which shall be subject to the front yard requirements of this article. Where a lot is bounded on three (3) or more sides by roads, the side opposite the front yard shall be considered the rear yard and the minimum rear yard setback shall be maintained. The remaining frontage shall be considered side yard but the front yard setback shall be maintained for the side street.

e. Frontage Upon a Street. Every principal building shall be built upon a lot with the minimum required frontage upon an approved street which shall be improved in accordance with the street standards established by the City.

f. Number of Buildings Restricted. There shall not be more than one (1) principal structure on each lot in the R1 through R3 districts.

g. For the purposes of this section, the "front yard" or "front yard setback" shall mean the "minimum front yard" specified in Section 30-67. When the prevailing setback of existing buildings along a block front is less than the setback required in Section 30-67, the prevailing setback may be applied as the "front yard setback" for a new building along the same block front, provided that such setback shall not be less than ten (10) feet.

### 30-68.3 Height Regulations.

a. General Application. No building or structure shall have a greater number of stories or greater height than permitted in the zone where such building or structure is located.

b. Permitted Exceptions:

1. Height limitations stipulated elsewhere in this chapter shall not apply to the following when attached to a principal structure: spires; belfries; cupolas and domes; monuments; chimneys; flagpoles; fire towers; tanks; water towers and standpipes; radio and satellite dish antennas when attached to nonresidential principal buildings. Freestanding structures that are not principal buildings shall be considered accessory structures and shall meet the height requirements set forth in Schedule 1 except as otherwise specified in the Land Development Regulations.

2. Mechanical appurtenances such as condensers, elevator penthouses, exhaust fans, air-conditioning equipment and other similar equipment are exempt from height restrictions, provided they do not extend more than twelve (12) feet above the maximum height limitations, cover no more than twenty (20%) percent of the roof area, and are properly shielded by a parapet wall.

3. In the B1, ~~B2~~ and LI Zone Districts, penthouses are exempt from height restrictions provided they cover not more than twenty (20%) percent of the main roof area, are not more than twelve (12) feet, and further provided that all building service equipment and appurtenances are enclosed in the penthouse in addition to any use permitted in the zone where located.

c. Accessory Structures:

1. In all commercial and industrial districts, the height of accessory structures shall be limited to the height of the principal structure.

2. In all residential districts, the height of accessory structures shall not exceed 15 feet.

### 30-68.4 Yard Regulations.

a. Required yards shall be open to the sky and unobstructed, except that parapets, windowsills, door posts, rainwater leaders and similar ornamental or structural fixtures may project up to one (1) foot into such yards.

b. Cornices, eaves, bay windows and chimneys may project up to two (2) feet into any minimum required front, side or rear yard as set forth in Schedule 1.

c. Uncovered steps only may project up to five (5) feet into a required front or rear yard unless they are a structural component of a porch as defined in Section 30-15.

d. Room air-conditioning equipment, barbecues or patios or fire escapes may be located within any side or rear yard but shall not be less than five (5) feet from any property line.

e. Where any lot abuts a street right-of-way which is proposed to be widened as indicated on the Asbury Park Master Plan or Waterfront Redevelopment Plan, or Master Plan of Monmouth County, or by the State of New Jersey, setbacks and height restriction areas shall be measured from such proposed right-of-way. (2000 Code § 30-68.4)

30-69 Reserved ~~COMMUNITY DESIGN REGULATIONS~~

30-70 USE REGULATIONS - RESIDENTIAL DISTRICTS.

30-70.1 ~~Principal Permitted and Conditional Uses.~~ Reserved

30-70.2 ~~Accessory Uses.~~ Reserved

30-70.3 (R1) - Single Family Residential Zone.

a. Permitted Principal Uses.

1. ~~Detached single family homes on individual lots of at least fifty (50) feet in width and five thousand (5,000) square feet.~~
2. Essential municipal services facilities.

b. Permitted Accessory Uses.

1. ~~Garages for the storage of motor vehicles or noncommercial property.~~
2. Personal recreational facilities such as swimming pools, basketball hoops, etc., subject to the requirements of this chapter.
3. Driveways for the parking of personal vehicles, subject to the provisions of this chapter.
4. Any other structure which is clearly incidental to the principal residential use of the premises.
5. Minor home occupations.

c. Permitted Conditional Uses. Pursuant to subsection 30-76.3 of this chapter:

1. Major home occupations.
2. Houses of worship.

d. Off-Street Parking Requirements.

1. Two (2) parking spaces shall be provided for any newly constructed or converted single family dwelling.

Requirement may be met through provision of an enclosed garage and driveway of at least twenty (20) feet in length between the property line and garage. (2000 Code § 30-70.3)

30-70.4 ~~Reserved~~ (R1A) - Attached Single Family Residential Zone.

a. ~~Permitted Principal Uses.~~

1. ~~Detached single family homes on individual lots of at least fifty (50) feet in width and five thousand (5,000) square feet.~~
2. ~~Essential municipal services/facilities.~~

b. ~~Permitted Accessory Uses.~~

1. ~~Garages for the storage of motor vehicles or noncommercial property.~~
2. ~~Personal recreational facilities such as swimming pools, basketball hoops, etc., subject to the requirements of this chapter.~~
3. Driveways for the parking of personal vehicles, subject to the provisions of this chapter.
4. ~~Any other structure which is clearly incidental to the principal~~

~~residential use of the premises. 5. Minor home occupations.~~

~~c. Permitted Conditional Uses. Pursuant to subsection 30-76.3 of this chapter:~~

- ~~1. Major home occupations.~~
- ~~2. Funeral homes and houses of worship.~~
- ~~3. Attached single family residential developments of tracts of at least twenty-two thousand (22,000) square feet and a maximum residential density of ten (10) dwelling units per acre.~~

30-70.5 (R2) – One and Two to Four Family Residential Zone.

a. Permitted Principal Uses.

1. Detached single family ~~dwelling~~ homes on individual lots of at least fifty (50) feet in width and five thousand (5,000) square feet.
2. Two-family, ~~three-family, or four-family~~ dwellings within one (1) principal structure on a lot of not less than two thousand five hundred (2,500) square feet per dwelling unit.
3. Essential municipal services facilities.

b. Permitted Accessory Uses.

1. Garages ~~for the storage of motor vehicles or noncommercial property.~~
2. Personal recreational facilities such as swimming pools, basketball hoops, etc., subject to the requirements of this chapter.
3. Driveways for the parking of personal vehicles, subject to the provisions of this chapter.
4. Any other structure which is clearly incidental to the principal residential use of the premises.
5. Off-street parking facilities as required by this chapter and used exclusively by the occupants of a permitted residential use.
6. Minor home occupations.

c. Permitted Conditional Uses. Pursuant to subsection 30-76.3 of this chapter:

1. Major home occupations.
2. Funeral homes and houses of worship.
- ~~3. Rooming and boarding houses.~~

d. Off-Street Parking Requirements.

1. Single family dwellings: Pursuant to subsection 30-70.3 of this chapter.
2. Two-family dwellings: Three (3) off-street parking spaces. Parking spaces within enclosed garages may be counted towards the parking requirement provided that not more than one (1) driveway parking space is located behind any one (1) garage space.
- ~~3. Three- to four-family dwellings: One and one-half (1 1/2) parking spaces per dwelling unit.~~

### 30-70.6 (R3) - ~~Medium Density~~ Multifamily Residential Zone.

#### a. Permitted Principal Uses.

1. Detached single family ~~dwelling~~homes on individual lots of at least fifty (50) feet in width and five thousand (5,000) square feet.
2. Two-family, ~~three-family, or four-family~~ dwellings within one (1) principal structure on a lot of ~~not less than two thousand five hundred (2,500) square feet per dwelling unit.~~
3. ~~Low-rise~~ Multifamily residential dwellings on a tract of at least ten thousand (10,000) square feet at a maximum residential density of fifty (50) dwelling units per acre and a floor area ratio of 2.0. For the purposes of this chapter, low rise shall mean three (3) or more units arranged to provide individual access from ground level and no hallways common to more than two (2) units. Such arrangements may include townhouse style units in clusters of not more than four (4) units per building and may include condominium or cooperative forms of ownership.
4. Essential municipal services/facilities.

#### b. Permitted Accessory Uses.

1. Garages for the storage of motor vehicles or noncommercial property.
2. Personal recreational facilities such as swimming pools, basketball hoops, etc., subject to the requirements of this chapter.
3. Driveways for the parking of personal vehicles, subject to the provisions of this chapter.
4. Any other structure which is clearly incidental to the principal residential use of the premises.
5. ~~Off street parking facilities as required by this chapter and used exclusively by the occupants of a permitted residential use.~~
6. Minor home occupations.

#### c. Permitted Conditional Uses. Pursuant to subsection 30-76.3 of this chapter:

1. Major home occupations.
2. Funeral homes and houses of worship.
3. ~~Attached single-family residential~~ Townhouse developments of tracts of at least twenty-two thousand (22,000) square feet and a maximum residential density of ten (10) dwelling units per acre.
4. ~~Child care centers~~ Mid-rise multifamily residential buildings on tracts of twenty thousand (20,000) square feet or greater and a maximum height of five (5) stories and sixty (60) feet with common hallways accessible to not more than five (5) dwelling units per hallway and a maximum residential density of fifty (50) dwelling units per acre at a floor area ratio of 2.0.

#### 5. Residential Health Care Facility.

#### d. Off-Street Parking Requirements.

1. Single-family dwellings: Pursuant to subsection 30-70.3 of this chapter.
2. Two-family dwellings: Three (3) off-street parking spaces. Parking spaces within

enclosed garages may be counted towards the parking requirement provided that not more than one (1) driveway parking space is located behind any one (1) garage space.

3. Three- to four-family dwellings: One and one-half (1 1/2) parking spaces per dwelling unit.

4. Multi-family dwellings:

Zero to one bedroom apartment One (1) parking space

Two or more bedroom apartment Two (2) parking spaces (2000 Code § 30•70.6)

#### 30-70.7 Deal Lake Drive Inclusionary Housing Overlay District

- a. Purpose: The following provides for alternative zoning via overlay zoning that is applicable when five or more new units are created.
- b. Permitted Principal Uses
  1. Multi-family dwellings with a 20% set-aside of low and moderate income housing.
- c. Permitted Accessory Uses
  1. Accessory buildings
  2. Private recreational facilities and common open space
  3. Off-street parking facilities, including garages and/or structured parking
  4. Minor home occupations
  5. Uses which are customary and incidental to the principal use
- d. Permitted Conditional Use.
  1. None
- e. Off-Street Parking Requirements
  1. Parking shall be provided pursuant to Section 30-59.5 with the exception that parking shall not be required for low, moderate and middle income units.
- f. Affordable Housing Requirement
  1. Additional density of five (5) units per acre shall be provided where 8% or more new residential units are reserved for middle income housing and where 20% or more of new residential units are reserved for low- and moderate-income housing. The set aside requirement for low- and moderate-income housing units shall be required whenever five (5) or more new residential units are created, even if middle income units are provided.
  2. Affordable housing units shall comply with the City's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).
- g. Bulk Standards and Site Design
  1. Minimum Lot Size: Lot size existing as of the effective date of this Ordinance

2. Minimum Lot Width: 20 feet
  3. Minimum Front Yard: 30 feet
  4. Maximum Front Yard 50 feet
  5. Minimum Side Yard: 10 feet
  6. Minimum Rear Yard: 30 feet
  7. Maximum Density: 30 du/ac
  8. Maximum Density: 60 du/ac
  9. Maximum FAR: 1.7
  10. Maximum Building Coverage: 50%
  11. Maximum Lot Coverage: 80%
  12. Maximum Principal Building Height: 8 stories 90 ft.
  13. Maximum Accessory Building Height: 15 feet
  14. Parking shall not be located between a building and a public street.
  15. A planted buffer strip of not less than 5 feet in width or a solid fence in conjunction with a three foot wide planted buffer shall be provided along each side or rear property line that abuts a one (1) or two (2) family residence.
- h. Building Design
1. Structured parking that is visible to a public street shall not exceed one story (parking level). Structured parking shall be screened by structural elements that are compatible with the materials and design of the front and side building facades.
  2. Building materials and architectural details shall be consistent on all sides of each building.
  3. Multiple principal buildings shall be permitted on a lot.
  4. Maximum building length: 200 feet.
  5. Any façade of a residential building shall not continue on the same plan for a linear distance of more than 75 feet. Minimum two-foot offsets shall be required at breaks in the façade plane.
  6. Building facades shall be finished in wood, stone veneer, stucco, brick, fiber cement panel and/or cast stone. Metal shall be used only for minor accentuation of other elements of the façade.
  7. Building entrances shall be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
  8. Pedestrian friendly building design and on-site furnishings (outdoor tables, benches, bicycle racks, etc.) are required along Deal Lake Drive.
  9. Roof Design
    - a) Roof shape, color, and texture shall be coordinated with the exterior materials of the

building's façade

- b) Roof design shall minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together
- c) Rooftop equipment such as mechanical units, vents, and flues shall be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitches roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

### 30-71 USE REGULATIONS - NONRESIDENTIAL DISTRICTS.

30-71.1 Reserved.

30-71.2 Accessory Uses.

Customary accessory uses such as signs (subject to Section 30-61) and parking facilities (subject to Section 30-59) are permitted in the B1, B2 and LI Zones. Storage trailers are specifically prohibited as accessory uses.

30-71.3 Reserved

30-71.4 Reserved.

30-71.5 (B)- Business District.

a. Permitted Uses:

1. Stores and shops for the conduct of a retail trade or services not specifically prohibited.
2. Personal services.
3. Take-out and sit-down restaurants.
4. Art galleries, art studios, museums, and theaters along Asbury Avenue.
5. Convenience stores.
6. Artist live/work studios.
7. Business, secretarial, and trade schools.
8. Gymnasiums, and health and fitness clubs.
9. Laundromats.
10. Dance studios, martial arts schools, and similar instructional schools.
11. Business and professional offices, bank, and fiduciary institutions.
12. Upper Story residences subject to subsection f. herein and §30-73.11.
13. Medical offices.
14. Arcades.
15. Automobile rental uses located along Memorial Drive only.

16. One- and two-family residences existing as of the date of this ordinance.
- b. Prohibited Uses:
    1. Nursing homes.
    2. Licensed health care facilities.
    3. Soup kitchens and food pantries.
    4. Houses of worship and places of assembly.
    5. Social clubs.
    6. Retail sales and service establishments providing goods and repair services for vehicles.
    7. Used car sales.
    8. Motor vehicle repair garages.
    9. Motor vehicle body repair garages.
    10. Gas stations.
    11. Drive throughs.
    12. Sexually oriented land uses.
  - c. Permitted Accessory Uses
    1. Accessory buildings.
    2. Private recreational facilities and common open space.
    3. Off-street parking facilities, including garages and/or structured parking.
    4. Minor home occupations.
  - d. Conditional Uses
    1. Urgent care center
    2. Check cashing services, providing adequate interior space is provided for patron queuing.
    3. Off-street parking facilities, including garages and/or structured parking
    4. Minor home occupations
  - e. Off-Street Parking Requirements:
    1. For new development on vacant property: One (1) parking space per three hundred fifty (350) square feet of gross floor area, with the exception that floor area devoted to low, moderate- and middle-income housing units shall not require parking. Parking requirement may be met through lease of Municipal parking within one thousand (1,000) feet of the site.
  - f. Affordable Housing Requirements
    1. The creation of five (5) or more new residential units shall require a 20% set-aside of low- and moderate- income housing units.
    2. Additional density of five (5) units per acre shall be provided where 8% or more new

residential units are reserved for middle income housing and where 20% or more of new residential units are reserved for low- and moderate-income housing. The set aside requirement for low- and moderate-income housing units shall be required whenever five (5) or more new residential units are created, even if middle income units are provided.

3. Affordable housing units shall comply with the City's affordable housing regulations and the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-26.1), which shall control in the case of any conflicts with this ordinance, provided that a minimum of 13 percent of the total low and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).

g. Site Design

1. Parking shall not be located between a building and a public street.
2. A planted buffer strip of not less than 10 feet in width or a solid fence in conjunction with a three foot wide planted buffer shall be provided along each side or rear property line that abuts a residence.

h. Building Design

1. First-floor facades containing nonresidential uses which are visible from a public street shall be expressed as building modules that do not exceed 40 feet in width so as to eliminate blank walls, create more interesting architecture, and facilitate small-scale commercial opportunities. Architectural elements including but not limited to piers, columns insets, projections or other vertical elements must be used to visually break up the plane of the first-floor façade.
2. Where facing a public street, nonresidential uses shall have a minimum of 60% of the ground floor façade between three (3) and 10 feet above grade and shall have 30% of the upper floor facades be transparent and shall provide visual access to the street. Blanked-out windows, windows which display only signage, or look into unused or "dead" space do not meet this requirement.
3. Structured parking that is visible to a public street shall not exceed one story (parking level). Structured parking shall be screened by structural elements that are compatible with the materials and design of the front and side building facades.
4. Building materials and architectural details on all sides of each building need not be identical, but shall be unified in overall appearance through finish, materials, details and architectural design.
5. Multiple principal buildings shall be permitted on a lot.
6. Maximum building length: 100 feet
7. Building facades shall be finished in wood, stone veneer, stucco, brick, fiber cement panel and/or cast stone. Metal shall be used only for minor accentuation of other elements of the façade.
8. Building entrances shall be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings and architectural treatments.
9. Pedestrian friendly building design and on-site furnishings (outdoor tables, benches, bicycle racks, etc.) are required along the public street.

## 10. Roof Design

- a. Roof shape, color, and texture shall be coordinated with the exterior materials of the building's façade
- b. Roof design shall minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together
- c. Rooftop equipment such as mechanical units, vents, and flues shall be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened with solid materials using parapets, pitches roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

### 30-71.6 (LI) - Light Industrial.

- a. Permitted Uses. Permitted Light Industrial uses include indoor manufacturing and assembly uses that do not emit smoke or fumes, or produce noise or vibrations that are detrimental to nearby residences, in addition to general business uses that do not provide retail sales or services. Permitted uses include as follows: All uses permitted in the B District plus the following uses: cabinet makers; furniture makers; glass and mirror cutters; machine shops; welders; manufacture, assembly or fabrication of tangible products that does not involve emission of smoke, fumes or dust and does not generate noise in excess of sixty (60) decibels beyond the property line; warehousing; wholesaling; repair shops, not to include motor vehicle repair.
  1. Business and professional offices
  2. Sound and video recording and rehearsal studios
  3. Art studios
  4. Cabinet and furniture makers
  5. Glass and mirror cutters
  6. Machine shops
  7. Welders
  8. Manufacture, assembly or fabrication
  9. Warehousing
  10. Wholesaling
  11. Scientific laboratory
  12. Commercial bakery and food manufacturing.
  13. Commercial laundry service.
- b. Reserved Prohibited Uses. Any residential uses; bars; nightclubs; used car wholesalers.
- c. Conditional Uses.
  1. Motor vehicle engine or body repair garages.

2. ~~Retail used car sales.~~

d. ~~Reserved Off Street Parking Requirements.~~

1. ~~For new development on vacant property:~~

a. ~~Warehousing: One (1) parking space per one thousand (1,000) square feet of gross floor area.~~

2. ~~All other uses: One (1) parking space per five hundred (500) square feet of gross floor area.~~

~~— Parking requirement may be met through lease of Municipal parking within one thousand (1,000) feet of the site.~~

30-71.7 ~~Reserved (PO) Professional Office.~~

a. ~~Permitted Uses.~~

~~1. Professional Offices. For the purposes of this chapter only, a professional office shall be any office used by one (1) or more persons licensed or certified by the State of New Jersey, or any professional society or association with recognized State and National affiliations, to provide a professional service to the public. Such professions shall specifically include licensed medical practitioners; chiropractors; psychologists; real estate practitioners; accountants; financial or insurance practitioners; legal practitioners; planning, design and engineering professionals; and travel consultants.~~

~~2. Residential uses pursuant to subsection 30-70.5 of this chapter.~~

~~b. Prohibited Uses. Any uses not listed as permitted or conditional uses in this chapter and any uses listed as prohibited uses in subsections 30-71.3 through 30-71.6 of this chapter.~~

c. ~~Conditional Uses.~~

~~1. Accessory apartments pursuant to subsection 30-76.3t of the Land Development Regulations.~~

d. ~~Off Street Parking Requirements.~~

~~1. — For new professional office development on vacant property: One (1) parking space per three hundred (300) square feet of gross floor area. Parking requirement may be met through lease of Municipal parking within five hundred (500) feet of this site. (2000 Code § 30-71.7)~~

30-71.8 (P1) - Parks and (P2) ~~Schools~~ Municipal Property.

a. Permitted Uses.

1. Uses permitted by Mayor and Council.

2. In all P1 Zoning Districts the land shall be used as public parks.

3. In all P2 Zoning Districts the land or buildings located thereon shall be used for school purposes.

b. Prohibited Uses. Any use not specifically authorized by Mayor and Council. (2000 Code § 30-71.8)

30-71.9 (WRA) - Waterfront Redevelopment Area.

a. Renovation Infill Area Overlay.

1. Conditional Uses. The following conditional uses may be permitted in the Renovation Infill Area of the Waterfront Redevelopment Area:

- a. Conditional Uses permitted by the underlying zone district regulations.
- b. Bed and Breakfast establishments ~~subject to the following conditions:~~
  - a. ~~A Bed and Breakfast establishment shall contain no more than six (6) guest bedrooms and shall accommodate no more than twelve (12) guests at any one time;~~
  - b. ~~The principal structure of a Bed and Breakfast establishment shall have not less than three hundred (300) square feet in principal rooms for the exclusive use of guests, including, but not limited to, parlors, dining rooms, libraries and solariums, but not including hallways;~~
  - c. ~~Cooking and smoking in guest rooms of Bed and Breakfast establishments is prohibited;~~
  - d. ~~Bed and Breakfast establishments shall provide a meal to the guests in the forenoon of each day, but shall not operate as a restaurant open to the general public;~~
  - e. ~~Bed and Breakfast establishments shall be renovated in a historically accurate manner consistent with Section 30-69;~~
  - f. ~~A Bed and Breakfast establishment is not a rooming house or boarding house as defined by N.J.S.A. 55:13B-3; and~~
  - g. ~~A Bed and Breakfast establishment shall have at least one (1) bathroom per square floor.~~

30-72 ~~Reserved PUBLIC LAND P1, P2 AND P4 DISTRICTS.~~

- a. ~~In all P1 Zoning Districts the land shall be used as public parks only.~~
- b. ~~In all P2 Zones the land or buildings located thereon shall be used for any purpose or use as may be determined by resolution of the Mayor and Council.~~
- c. ~~In all P4 Zones the land or buildings located thereon shall be used for school purposes only.~~

30-73 SUPPLEMENTAL USE REGULATIONS.

30-73.1 Buffers.

All properties used for commercial or industrial purposes shall provide a planted buffer strip of at least ten (10) feet in width on every side which abuts a use permitted in a residence zone. Treatment of the buffer strip must be subject to the approval of the Zoning Officer through issuance of a Zoning Permit. Existing commercial or industrial buildings or uses are exempt from the provisions of this section, except that if the footprint of such existing building or use is expanded or the off-street parking facilities are increased in size, the provisions of this section shall apply. (2000 Code § 30-73.1)

30-73.2 Arcades.

Establishments containing more than 20% of the publicly accessible floor area of the business for games ~~four (4) or more coin-operated amusements~~, including video games, pinball machines, jukeboxes, pool tables, or games of chance, shall be considered arcades and may be permitted in the B2 Zoning District only. ~~Three (3) or fewer coin-operated amusements may be permitted as an~~

~~accessory use in hotels, nightclubs, teen clubs, bars or other entertainment related uses in nonresidential zoning district, (as approved by the Zoning Officer).~~

a. Each establishment containing ~~coin-operated amusements~~ such games must obtain a mercantile license from the Mercantile Officer specifying the number and type of machines to be located in that establishment.

b. No establishment containing ~~one (1) or more coin-operated amusements~~ games shall be internally accessible from another establishment also containing ~~one (1) or more coin-operated amusements~~ games

c. All establishments containing ~~coin-operated~~ amusements available for use by minors shall provide proper adult supervision at all times. (2000 Code § 30•73.2)

### 30-73.3 Conversions.

(Reserved) (Deleted by Ord. No. 2777 § 5)

### 30-73.4 Reserved Dwelling Unit Size Requirements.

~~In accordance with Section 30-3, and with specific attention to paragraphs a, c, and q, all dwelling units hereafter erected, altered or converted, unless otherwise specified in this chapter must contain gross floor area no less than the following:~~

#### ~~a. Conventional Multi-family Uses.~~

~~Efficiency (Studio) — 500 square feet~~

~~One Bedroom — 750 square feet~~

~~Two Bedrooms — 900 square feet~~

~~Three Bedrooms — 1,100 square feet~~

~~> Three Bedrooms — 200 square feet for each additional bedroom~~

#### ~~Senior Citizen Multi-family Uses.~~

~~Efficiency (Studio) — 350 square feet~~

~~One Bedroom — 600 square feet~~

~~Two Bedrooms — 750 square feet~~

~~Three Bedrooms — 900 square feet~~

~~b. Two-Family Uses. Each dwelling unit to be a minimum of nine hundred (900) square feet measured from the interior surfaces of the perimeter walls of the unit. Dwelling units with more than two (2) bedrooms shall conform to the minimum size requirements for "conventional" dwelling units specified in paragraph a above.~~

~~c. One (1) bedroom dwelling units shall contain a minimum of eight hundred (800) square feet and two (2) bedroom units shall contain a minimum of one thousand (1,000) square feet of living space measured from the perimeter of the interior walls of the dwelling unit.~~

### 30-73.5 Reserved Townhouse Developments.

Townhouse developments may be permitted through site plan approval of the Planning Board according to the following provisions:

#### ~~a. — Tract Development:~~

~~1. Minimum Tract Area. Twenty thousand (20,000) square feet, except that tracts of seventeen thousand (17,000) square feet or more may be permitted where twenty (20%) percent or more~~

of the townhouses are made affordable to households with family income equal to eighty (80%) percent of regional family median income or less.

2.—Open Space. Not less than thirty-five (35%) percent of the total tract area shall be dedicated for green open space, either for recreation or some other suitable use, public or private, as approved by the Planning Board. For the purpose of this subsection, individual lots or portions thereof shall not be construed as open space.

3. Minimum Tract Frontage. One hundred (100) feet.

4. Development Density. Each dwelling unit shall be constructed on an individual lot, and there shall be a minimum of three thousand two hundred fifty (3,250) square feet of tract area per dwelling unit in R1A Zones. Development density in the R3 Zone shall not exceed sixteen (16) dwelling units per acre.

b.—Individual Lots.

1. Minimum Width. The required average width of all individual lots shall be not less than twenty (20) feet, and no individual lot shall have a width of less than eighteen (18) feet, the width to be measured at the actual building setback line for each individual lot. In developments where twenty (20%) percent or more of the townhouses are made affordable to households with family incomes of eighty (80%) percent of median income or less, the average width may be eighteen (18) feet and minimum width may be sixteen (16) feet.

2. Minimum Area. The required average area of all individual lots shall be not less than two thousand (2,000) square feet, and no individual lot shall have an area of less than one thousand eight hundred (1,800) square feet. In addition, for each individual lot with an area less than the required average, there shall be not less than one (1) individual lot with an area greater than the required average, and the deviation from the required average of the larger lot shall be at least equal to the deviation from the required average of the smaller lot. In developments where twenty (20%) percent or more of the townhouses are made affordable to households with family incomes of eighty (80%) percent of family median income or less, the required average lot area may be one thousand eight hundred (1,800) square feet and the required minimum lot size may be one thousand six hundred (1,600) square feet.

3.—Front and Rear Yards. The required average for front and rear yards on all individual lots shall be not less than twenty-five (25) feet, and no individual lot shall have a front or rear yard of less than twenty (20) feet, except that where the front or rear property line of an individual lot abuts open space as defined in paragraph a,2 above, and which open space shall have a minimum dimension of fifty (50) feet measured at right angles along the full length of the abutting property line, then the required average and minimum yard requirements set forth herein may be reduced by not more than ten (10) feet for the abutting yard.

4.—Side Yards. There shall be a single side yard of not less than ten (10) feet required only for each individual lot occupied by a semi-attached dwelling unit.

c.—Buildings.

1.—Design.

a. Each dwelling unit shall have not less than two (2) means of ingress and egress.

b. Each dwelling unit shall have not less than two (2) exposures.

- ~~c. There shall be no more than eight (8) dwelling units in any single group of dwelling units.~~
- ~~d. No living space shall be permitted above the second story.~~
- ~~e. No more than two (2) adjacent dwelling units may be constructed without providing a front wall setback of not less than four (4) feet.~~

~~2. Siting.~~

~~a. Each group of dwelling units shall set back not less than twenty-five (25) feet from all streets, roads or ways, whether public or private. New buildings shall not project closer to the street than the established setback, except where a prevailing setback has been established on improved lots within two hundred (200) feet of the subject lot. However, in no case need the setback from any public street exceed fifty (50) feet.~~

~~b. Each group of dwelling units shall set back not less than twenty-five (25) feet from a zone district boundary line except that where abutting an R3 Zone the setback may be reduced to ten (10) feet.~~

~~c. Each group of dwelling units within a tract shall have a setback not less than thirty (30) feet from any other group of dwelling units within the same tract and shall set back not less than fifteen (15) feet from the tract boundary line.~~

~~d. Garages.~~

~~1. Design. All garages shall conform architecturally to and be of similar materials as the principal building in the development.~~

~~2. Location. Garages may be built into townhouses or may be constructed on individual lots or on common areas, all subject to the approval of the Planning Board.~~

~~3. Private Garages. Garages constructed on individual lots under this article shall be subject to paragraphs d,1. and d,2. above and the following:~~

~~a. A garage need not set back from one (1) side line of an individual lot and may be attached to a garage on an adjacent individual lot.~~

~~b. No garage which is not attached to or part of a townhouse on the same individual lot shall be closer than twenty (20) feet to the townhouse.~~

~~4. Common garages shall meet the setback requirements for parking areas as set forth in Section 30-59, except that the rear walls of such garages may be situated as close as twenty-five (25) feet to a peripheral public street subject to any greater existing setbacks and approval by the Planning Board.~~

~~e. *Ownership of Common Areas.* Common areas of any tract utilized for a townhouse development which are not accepted by the City shall be deeded to a corporation, association, individual or individuals, or other legal entity consisting of a majority of the property owners within the development for their use, control, management and maintenance. Any agreement providing for such ownership shall be reviewed and approved by the City Attorney to ensure that adequate safeguards are included guaranteeing the continuance of the agreement in perpetuity and protecting the City from harm. In any event the agreement shall give the City the right to perform maintenance and assess the cost to the property owners in the event the property owners fail to maintain the property in accordance with the agreement. In a case where the common area is distributed as a planted buffer strip around the perimeter of the tract, each individual unit owner shall be responsible for maintaining that portion of the buffer strip which directly abuts the townhouse lot upon which their unit is located.~~

### 30-73.6 Trailers, Dumpsters and Refuse Containers.

Trailers, as defined in Section 30-15 of this chapter, shall not be permitted except as specified below:

- a. A trailer which is a customary accessory use incidental to a principally permitted residential use in a R1, ~~R1A~~, and R2 Zone.
- b. A trailer which is an accessory use to a manufacturing or warehouse use in the LI Zone.
- c. Trailers, dumpsters and refuse containers, as defined in Section 30-15 of this chapter, used by contractors in conjunction with construction activity on a site may be located on said site until the completion of such construction activity, provided that any dumpster or refuse container must be removed from a construction site within ten (10) working days after a cessation of construction activity or upon the filling of the container to a point level with the top of the container. No final Certificate of Zoning Compliance shall be issued until all trailers, dumpsters and refuse storage containers are removed from the site of a completed construction or rehabilitation project. No contractor shall cause or allow a dumpster or refuse storage container to be used for general refuse and garbage disposal.
- d. Trailers used in conjunction with the activities or operations of a public agency.
- e. ~~No trailers otherwise prohibited by this subsection shall be permitted by variance, except that the City Council may grant permission for the temporary use of a trailer for living or working quarters in special situations. (2000 Code § 30•73.6)~~

### 30-73.7 Outdoor Storage.

No outdoor storage of merchandise, articles or materials shall be permitted in any zone. The provisions of this section shall not be construed to prohibit customary accessory uses in residential zones such as patios, picnic tables, outdoor fireplaces and similar uses. (2000 Code § 30•73.7)

### 30-73.8 Commercial Uses in Waterfront Redevelopment Area.

~~In accordance with the goals and objectives of the Waterfront Redevelopment Plan and Master Plan, as well as paragraph o. of Section 30-3, commercial uses shall be permitted within or accessory to a residential building or complex in the Residential Zones, provided that they are on parcels with frontage on Kingsley Street and/or the boardwalk and are compatible with new residential development within that zone. Uses incompatible with residential development would include uses which would generate large volumes of traffic, noise, trash, offensive odors, or have extended hours of operation and loitering. Uses which are compatible with residential development would include sit-down restaurants, delicatessens, health clubs, hair salons, card or gift shops, and other businesses directly supported by residential development. Commercial uses permitted within or accessory to hotels, theme entertainment centers, arenas, or exhibition/convention facilities in the P2 Zone shall be compatible with and related to the principal structure and use.~~

### 30-73.9 Reserved Proximity Requirements, Bars.

~~No bar, as defined in this chapter, shall be permitted within any land or building located within one thousand (1,000) feet of an existing bar, as measured between the nearest property lines. This section shall not be applicable to properties in the WRA Zone.~~

### 30-73.10 Minor Home Occupations.

A minor home occupation is any gainful occupation or profession engaged in by an occupant of a dwelling unit which meets the following conditions and requirements:

- a. The use shall be conducted ~~entirely within the dwelling~~ and carried on by the inhabitants hereof and no others.
- b. The primary use of the premises shall be residential and the minor home occupation shall be secondary to the residential use of the property. The appearance of the structure shall not be altered, and the occupation within the residence shall not be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lighting, signs, or the emission of sounds or vibrations that carry beyond the premises.
- c. No more than ~~one (1) room~~ 20% of the gross floor area of the dwelling or accessory structure may be used for the home occupation.
- d. There shall be no advertising, display, or other indications of a home occupation on the premises, except as permitted in subsection 30-61.5e.
- ~~e. There shall not be conducted on the premises the business of selling stock or merchandise, supplies, or products, provided that orders for such goods may be taken at the premises by either mail order or telephone. No services shall be offered that requires clients coming to the residence for the home occupation business to be performed. There shall be no direct pick up of such orders at the residence. Parties for the purpose of selling merchandise or taking orders shall not be held more than once a month.~~
- f. There shall be no storage or display of goods visible from outside the structure.
- g. Use or storage of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence is not permitted. In any event, there shall be no storage of hazardous or extra hazardous materials as defined by NJDEP and USEPA.
- ~~h. Deliveries from commercial suppliers shall not be made more than once per week, and the deliveries shall not restrict traffic circulation.~~

#### 30-73.11 Upper Story Residences in Nonresidential Zoning Districts.

Upper story residences in nonresidential business districts shall comply with the following requirements:

- a. Access to all apartments shall be separate from any access to nonresidential use in the same building.
- b. The portion of the first floor of buildings directly fronting on a public street shall have not less than 85% of the building length consist of permitted nonresidential uses; up to 15% of the remaining building length may consist of residential uses, which shall include but not limited to residential units, entries and vestibules, mail rooms, and other residential accessory uses. The portion of the first floor of buildings facing an off-street parking area may consist of residential uses.
- c. Apartment shall not consist of more than three (3) bedrooms.
- d. A commercial building that is enlarged to provide for one (1) or more upper story residences shall be required to provide one (1) additional off-street parking space per apartment.
- e. The applicant shall submit a proposal for the handling and disposal of solid waste, including the means by which differing recycling requirements between commercial and residential uses will be reconciled and shall comply with all applicable requirements regarding same.
- f. Parking shall not be required for low, moderate, and middle-income units.

### 30-73.12 Open Space

Multi-family residences in any zone shall provide open space for residents that constitutes at least 30% of the lot area. The open space requirement may be met through the means of common interior recreation areas, balconies, roof decks or terraces located on the same premises.

### 30-74 RESERVED.

### 30-75 ACCESSORY USES AND STRUCTURES.

#### 30-75.1 Accessory Structures in All Zones.

Accessory structures not attached to a principal structure may be erected in a side or rear yard in accordance with the following regulations:

- a. No accessory structures shall be located closer than five (5) feet to any side property line.
- b. In the R1, ~~R1A~~ and R2 Zones, accessory structures may be erected in the rear yard not closer than five (5) feet to the side lot line and three (3) feet to the rear lot line. ~~Accessory structures over fifteen (15) feet in height shall be set back from side and rear lot lines a distance equal to one-half (1/2) the height of the structure.~~
- c. Except where otherwise specifically permitted by this chapter, accessory structures in multifamily and nonresidential zones shall meet the setback requirements of the principal building.
- d. No portion of any accessory structure shall be used for living quarters for people.
- e. When an accessory structure is attached to the principal building it shall be considered as a part of the principal building and it shall comply in all respects with the requirements of this chapter applicable to the principal structure.
- f. ~~With the exception of uncovered decks and pools, a~~ Accessory structures shall be included in meeting the maximum building and impervious coverage requirements in Schedule 1.
- g. ~~Existing lots in the R1 and R2 District, which contain a single or two-family dwelling, and which do not contain an attached or detached garage, are permitted to construct one (1) accessory building of not more than 100 square feet in area which shall be exempt from the district requirements for building coverage and lot coverage. Such accessory building shall comply with any other applicable bulk or spatial requirements of this Chapter. In the R3 Zone and in all nonresidential zones, the distance accessory structures shall be located from any principal structure shall be determined as part of site plan review.~~
- h. ~~For restaurants in the LI Zone with less than two (2) interior tables for patrons, exterior tables are permitted as well as seasonal (no more than six (6) months) sun protection, provided that the sun protection is canvas or canvas like material and does not have advertising or branding.~~

#### 30-75.2 Personal Recreational Facilities in Residential Zones.

Except for portable swimming pools less than three (3) feet in height and less than ten (10) feet in length or diameter, the following regulations shall apply to permanent and portable swimming pools, tennis courts and similar personal recreation facilities:

- a. The use shall be erected on the same lot as the principal structure and shall require a Construction Permit.
- b. The use may be erected in the side and/or rear yard and shall be not less than five (5) feet from any lotline.

- c. The use shall be appropriately screened and fenced so as not to adversely affect adjoining properties.
- d. Lighting which extends the hours of operation, other than in-pool lights, shall be prohibited.
- e. In the case of swimming pools, all measurements shall be from the pool apron and provision for drainage shall be approved as part of the Construction Permit. (2000 Code § 30•75.2)

### 30-75.3 Ham Radio and Satellite Dish Antennas.

Freestanding radio operator antennas and satellite dish antennas may be permitted as accessory uses in all zones subject to the following:

- a. In R1, ~~R1A~~ and R2 Residential Zones one (1) antenna may be permitted to the rear of a detached one- or two-family structure upon issuance of the Zoning Permit by the Zoning Officer.
- b. In R3 and Nonresidential Zones, the location of any freestanding ham radio or satellite dish antenna for multi-family residential buildings and nonresidential buildings must be approved as a Minor Site Plan application by the Planning Board. Antennas which are mounted on the roof of a multifamily building or nonresidential building must be set back five (5) feet from the edge of the roof and may be permitted through the issuance of a Zoning Permit by the Zoning Officer.
- c. In a R1, ~~R1A~~ or R2 Zone, the height of a freestanding ham radio antenna must not exceed five (5) feet above the maximum height limitation for a principal structure in the zone. The height of a freestanding satellite dish must not exceed the maximum height allowed for an accessory structure in the zone where it is to be erected. The height of both ham radio antennas and satellite dish antennas shall be measured from the finished grade at the base of the antenna to the highest part of the antenna.
- d. The setback of a freestanding antenna in a residential zone must conform with the setback requirement of other accessory structures as required in this section.
- e. In any residential zone, one (1) ham radio or satellite dish antenna may be erected on the roof of or otherwise attached to a residential building. The height of any antenna which is attached to a principal building in a residential zone shall not exceed a height equal to twenty-five (25%) percent of the height of the principal building measured from the average finished elevation of the base of the building to the highest part of the building, regardless of roof type. Ham radio or satellite dish antennas mounted on the roof of nonresidential structures in any zone shall be exempt from the height limitations of this section.
- f. The Zoning Officer or Planning Board may require landscaping, fencing or other provisions to ensure that an antenna will not adversely impact adjacent properties. (2000 Code § 30•75.3)

### 30-76 REGULATIONS GOVERNING CONDITIONAL USE.

#### 30-76.1 Purpose.

It is recognized that certain uses, activities and structures, some of which are necessary to serve the needs and conveniences of City residents, and others which are provided for in the State or Constitutional Law, cannot be specifically classified or regulated in a particular district without consideration in each case to existing conditions and the impact upon the neighborhood and surrounding area and upon the public health, morals, safety and general welfare. Such uses, activities and structures as specified elsewhere in this chapter as conditional uses shall be permitted only through issuance of a Conditional Use Permit by the Planning Board. (2000 Code § 30•76.1)

#### 30-76.2 Reserved General Standards.

Conditional Use approval may be granted after determination by the Planning Board that the proposal is in harmony with the general purpose and intent of this section and this chapter, the specific standards of this section, and after consideration of the following where applicable:

- a. ~~The density of use and bulk of buildings.~~
- b. ~~Conservation of property values and impact on adjacent properties as compared to uses and structures permitted as a matter of right.~~
- c. ~~Health, safety and well being of residents or workers on adjacent properties and in the surrounding neighborhood.~~
- d. ~~Traffic volume, flow and control with reference to pedestrian and vehicular safety and convenience and access in case of catastrophe and emergency.~~
- e. ~~Adequacy of yards and open space, screening and buffering.~~
- f. ~~Existing land use in the area.~~
- g. ~~Compliance with this chapter and the Master Plan of the City. (2000 Code § 30-76.2)~~

### 30-76.3 Specific Standards.

- a. Microbrewery or craft distillery. A facility which produces limited quantities of malt beverages, as defined and regulated by the State Division of Alcoholic Beverage Control (ABC) may be permitted by conditional use permit subject to the following requirements: Reserved. (Superseded by Ord. No. 2607)
  - 1. A storefront façade with floor area used for the display and retail sale of the beverages produced on the premises shall be provided.
  - 2. A tasting room shall be provided.
  - 3. Off-street parking and loading areas shall be located behind the building.
  - 4. Driveway access shall be prohibited on Asbury Avenue and Memorial Drive unless the property has no other street frontage.
  - 5. All exhaust equipment, vent stacks, fans, etc., shall be above the first floor elevation and directed away from adjacent residential uses and the public right-of-way.
- b. Residential Health Care Facilities. Residential health care facilities as defined in this chapter may be permitted by conditional use permit in zoning districts where specified in Section 30-6970, provided the following standards and conditions are complied with:
  - 1. ~~A statement setting forth full particulars on the operations of the structure or use is filed in triplicate by the applicant. This statement shall contain a sworn affidavit that no developmentally disabled person, outpatient from a mental institution, or any person who has been committed after having been found not guilty of a criminal charge, shall reside or be housed at the proposed facility.~~
  - 12. The residential health care facility proposes to be duly licensed under the New Jersey "Hospital Licensing Act" or the "Health Care Facilities Planning Act" (P.L. 1971, c.136; c.26:2H-1 et seq.).
  - 23. ~~There must be one thousand (1,000) square feet of lot area per bedroom unit which must~~

~~include one hundred (100) square feet of recreation area per bedroom unit to be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, including the location of specific facilities such as benches, walkways and landscaping. Interior recreational areas may be included in the calculation of required recreational area.~~

~~34.~~ There must be front, rear and side yards provided as follows:

- ~~a.~~ Front yard—twenty (20) feet per story; thirty (30) feet min., fifty (50) feet max.
- ~~b.~~ Rear yard—twenty (20) feet per story; thirty (30) feet min., fifty (50) feet max.
- ~~c.~~ Side yards—thirty (30) feet.

~~45.~~ The ratio of gross floor area to lot area, or floor area ratio (F.A.R.) shall not exceed 0.8.

~~56.~~ The height of any structure must not exceed three (3) stories above the average elevation of the finished grade adjacent to its exterior walls.

~~67.~~ Off-street parking facilities must be provided on the premises behind the setback of not less than one (1) parking space per four (4) beds plus one (1) parking space per two (2) employees in the largest working shift.

~~8. The proposed use shall in no way be apparently detrimental to surrounding property values, and the structure or uses proposed will further the general welfare of the City.~~

~~9. There must not be another residential health care facility or rooming/boarding house within one thousand five hundred (1,500) feet of the proposed site.~~

~~c. Reserved Community Residences for the Developmentally Disabled, for Victims of Domestic Violence, for Persons with Head Injuries, or for the Terminally Ill. Community residences for the developmentally disabled, for victims of domestic violence, for persons with head injuries, or for the terminally ill (hereinafter, "community residences"), as defined by N.J.S.A. 40:55D-66.2, shall be a permitted use in all residential districts of a municipality and the requirements for such residences shall be the same as for single family dwelling units within such district.~~

~~d. Reserved Adult Bookstores and Establishments of Adult Entertainment. The Mayor and Council recognize the rights inherent in the U.S. Constitution which guarantee freedom of expression, as well as the position of the courts in protecting that freedom by invalidating any attempt by local ordinance to restrict particular uses based upon their content. However, the Mayor and Council also recognize their duty to protect the health, safety and welfare of the citizens of Asbury Park from the adverse impact that a concentration of certain uses have been shown to exert on the property values of adjoining and proximate residential and commercial property. Of particular concern is the potential concentration of adult bookstores and establishments that provide adult entertainment, which are distinguished from conventional bookstores and entertainment establishments by the fact that they are required to exclude access to minors by virtue of age under the pornography statutes of the State of New Jersey.~~

~~In promulgating the conditions for permitting adult restricted establishments listed below, the Mayor and Council considered the experience of recent years where two (2) or more adult establishments had located within a three (3) block area of the beachfront district between Fourth Avenue and Cookman Avenue near Kingsley Street and contributed to the economic decline of the beachfront by discouraging families with children from patronizing the beach and conventional commercial establishments in the area. This adverse effect was recognized by the Mayor and Council in 1984, when the area described above was included within a larger area of the beachfront declared~~

blighted and for which a redevelopment plan is now in effect.

In order to control the location and prevent the concentration of adult uses and thereby protect the public welfare and support the progress of redevelopment, adult bookstores and establishments of adult entertainment, as defined in Section 30-15, will be permitted in commercial zones within the City where conventional bookstores and entertainment establishments are also permitted uses, except that a Conditional Use Permit shall first be issued by the Planning Board for such adult bookstore or establishment or adult entertainment. The Planning Board may issue a Conditional Use Permit only after an applicant has demonstrated compliance with the following standards and conditions:

1. The application shall include a complete statement setting forth all the particulars of the structure and the proposed use thereof.

2. Based upon past experience as described in this section and an analysis of block dimensions typical of commercial zones within the City by the Office of Planning and Zoning, as well as studies of "skid row" uses performed in other urban areas such as Detroit, Michigan, and elsewhere, the Mayor and Council has determined that a minimum distance equal to the greater of two (2) full City blocks or one thousand (1,000) feet will be required between a proposed adult bookstore or establishment of adult entertainment and any existing adult bookstore or establishment of adult entertainment to achieve adequate dispersion of adult uses. For purposes of measurement, the required distance of separation shall be measured between the nearest property lines and along public streets so that City Tax Maps may be used.

3. Because the City contains residential neighborhoods in close proximity to commercial areas wherein adult uses might be permitted, and because it is determined to be in the public interest to provide adequate separation between such residential neighborhoods, with their attendant support uses such as schools and houses of worship, and the subject adult uses, the Mayor and Council has determined that a minimum distance equal to the greater of two (2) full City blocks or one thousand (1,000) feet will be required between a proposed adult bookstore or establishment of adult entertainment and the property line of any land in any residential zone, or any public, private or parochial school, library, park, playground, recreational facility or house of worship.

4. Advertisements, displays or other promotional materials shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas, public or semipublic. All building openings, entries, windows, etc., for adult uses shall be located, covered or screened in such a manner as to prevent a view into the interior from any public or semipublic area.

5. One (1) identification sign bearing the name of the adult bookstore or establishment of adult entertainment, the hours of business and customer age restrictions is permitted in accordance with Section 30-61.

6. Waiver provisions:

- a. — The provisions of this section which provide for the separation of adult uses from residential zones, schools, etc., and the dispersion of adult uses within commercial zones, may be waived by the Planning Board subject to the submission by the applicant of a petition containing the signatures of fifty one (51%) percent of the property owners within the affected area, as herein described, stating that they do not object to the proposed adult use.

- b. — The petition shall be attached to a signed and notarized affidavit attesting to the validity of the signatures on the petition. The petition shall be submitted to the Tax Assessor for verification that the signatures correspond to the correct property owners as listed in the Tax Records of the City and that they represent fifty one (51%) percent or more of the total property owners within

the affected area as described herein.

e. *Reserved.* (Ord. No. 2465 § 26)

f. ~~Philanthropic or Eleemosynary Uses.~~ Fraternal, social, civic, recreational, or philanthropic or eleemosynary uses may be permitted in the LI zones and permitted by Conditional Use Permit in the B1 Zone, provided that no lodging or boarding facilities are included. A Conditional Use Permit may be granted by the Planning Board provided subject to the following conditions are complied with:

1. ~~A statement setting forth full particulars on the operation of the structure or use is filed with the Planning Board by the applicant in triplicate.~~
2. ~~It is ascertained by the Planning Board that the proposed use is a bona fide nonprofit organization.~~
3. ~~It is ascertained by the Planning Board that the proposed location is appropriate for the proposed use and the use will not detract from the area or adversely affect the value of adjacent properties.~~
4. ~~The proposed use and/or structure shall conform to the minimum area and yard requirements of the zoning district in which it is located, except that these requirements may be increased at the discretion of the Planning Board.~~

g. Townhouse Developments. Townhouse developments shall be subject to the following standards:

1. Townhouse developments shall be designed so that each building is oriented with a front façade and yard area that faces a public street. Individual units shall have an entry and first floor living area that faces the street.
2. Each dwelling shall have a stoop or and porch that is six (6) feet deep.
3. A walkway shall be provided between the front or primary door of each unit to the street.
4. Garages or off-street parking areas shall be located on an interior court, lane or alley behind the building.
5. At least 15 percent of the site area for new projects should be open green space not enclosed in private yard areas.
6. Garages detached from dwellings may be provided along alleys. There must be a yard area between the dwelling and the detached garage of at least fifteen (15) feet.
7. Detached garages must not be closer than five (5) feet to a tract boundary.
8. No front entry garage or off-street parking is permitted between the building's front façade and the street.
9. Maximum building coverage shall not exceed 60%.
10. Maximum impervious coverage shall not exceed 85%.Reserved.

h. ~~Urgent CareReserved.~~ Urgent care, as defined in this chapter, may be permitted subject to the following conditions:

1. Access shall be provided from Memorial Drive, Asbury Avenue or Main Street
2. Where abutting a residential zone district, operating hours shall be between 7 am and 10 pm.

3. Parking shall be in accordance with the B district requirements.

i. ~~Reserved.~~ Motor Vehicle Service Stations. Motor vehicle service stations, as defined in this chapter, may be permitted in the LI Zone upon receipt of a Conditional Use Permit by the Planning Board. The Planning Board may issue a Conditional Use Permit only after the following standards and conditions are complied with:

1. ~~\_\_\_\_\_ A statement setting forth full particulars on the operation of the structure or use is filed with the Planning Board by the applicant in triplicate. The statement shall include a sworn affidavit that the premises shall not be used for auto repair as defined in this chapter.~~
2. ~~\_\_\_\_\_ No entrance or exit may be located within two hundred (200) feet along the same side of the street of any school, public playground, church, hospital, public building or institution, except where such property is in another block or on another street which the lot in question does not abut.~~
3. ~~\_\_\_\_\_ There must be an oil draining pit or visible appliance for any purpose other than filling pumps located within twenty (20) feet of any street line or within fifty (50) feet of any residential district except where such appliance or pit is within a building. Gasoline pumps may be located no closer than fifteen (15) feet from the streetline.~~
4. ~~\_\_\_\_\_ No motor vehicle service station shall be located within one thousand five hundred (1,500) feet of an existing motor vehicle service station, measured from the nearest lot lines.~~
5. ~~\_\_\_\_\_ The premises must not be used for the storage of junk motor vehicles incapable of normal operation. The storage of vehicles other than those awaiting servicing is not permitted.~~
6. ~~The premises must not be used for the leasing, rental, or sale of motor vehicles unless such a use has been applied for and granted as part of the Conditional Use Permit. Adequate on-site parking must be provided to accommodate such a use.~~
7. ~~Off street parking shall be provided as required in Section 30-59.~~
8. ~~Planted islands must be provided to control ingress and egress as well as circulation through the site. A planted buffer strip of no less than five (5) feet in width shall be provided around the perimeter of the property. A buffer of no less than ten (10) feet in width must be provided along any property line that abuts a residence zone. The treatment of all buffers shall be subject to the approval of the Planning Board.~~
9. ~~The proposed use shall in no way be apparently detrimental to surrounding property values, and the structures or uses proposed will further the general welfare of the City.~~

j. ~~Reserved.~~ Motor Vehicle Repair Garages. Motor vehicle repair garages, as defined in this chapter, may be permitted in the LI Zone upon receipt of a Conditional Use Permit from the Planning Board. The Planning Board shall not issue a Conditional Use Permit unless the following conditions are complied with:

1. ~~\_\_\_\_\_ A statement setting forth full particulars on the operation of the structure or use is filed with the Planning Board by the applicant in triplicate.~~
2. ~~\_\_\_\_\_ No motor vehicle repair garage may be located within one hundred (100) feet of an existing residence, school, church, or library, measured from the nearest property line.~~
3. ~~\_\_\_\_\_ No motor vehicle repair garage may be located within one thousand five hundred (1,500) feet of an existing motor vehicle repair garage, measured from the nearest property line.~~
4. ~~\_\_\_\_\_ Off street parking must be provided as required in Section 30-59.~~

~~5. A planted buffer strip no less than five (5) feet in width must be provided around the perimeter of the property. A planted buffer strip of no less than ten (10) feet in width shall be provided along any property line which abuts a residence zone. The treatment of all buffer strips shall be subject to the approval of the Planning Board.~~

~~6. The proposed use shall in no way be detrimental to surrounding property values, and the structures or uses proposed will further the general welfare of the City.~~

~~7. The premises must not be used for the unregistered or inoperable unless they are awaiting servicing. Any vehicle left unserviced for thirty (30) days or more shall be considered in storage.~~

k. Reserved Used Car Sales/Leasing A retail used car dealership may be permitted in an LI Zone upon receipt of a Conditional Use Permit from the Planning Board. The Planning Board may issue a Conditional Use Permit provided the following standards and conditions are complied with:

~~1. A statement setting forth the particulars of the proposed use and containing a sworn affidavit that no engine or auto repair work will be done on the premises must be filed in triplicate with the Planning Board. No used car wholesaling will be permitted.~~

~~2. A retail used car dealership must not be located within two thousand (2,000) feet of an existing used car dealership, measured from the nearest property line.~~

~~3. The site plan must indicate the parking stalls used for displaying motor vehicles as well as those designated for customers and employees. The total number of vehicles on the premises at any one (1) time must not exceed the total number of display spaces so indicated. All display and parking spaces must be marked with painted lines on a properly paved asphalt surface.~~

~~4. Off-street parking for customers and employees must be provided equal to one (1) parking space per ten (10) display spaces plus one (1) parking space per two (2) employees to be employed at any one (1) time.~~

~~5. A planted buffer strip no less than five (5) feet in width must be provided around the perimeter of the property. A planted buffer strip of no less than ten (10) feet in width must be provided along any property line that abuts a residence, school, church, or a residential zone. The treatment of all buffers shall be subject to the approval of the Planning Board.~~

~~6. Signs shall conform to Section 30-61.~~

~~7. The proposed use shall in no way be apparently detrimental to surrounding property values, and the structure or uses proposed will further the general welfare.~~

l. Child Day Care Centers. Recognizing the growing need for child day care facilities created by an economic climate that has caused the need for both parents to become wage earners, and also recognizing the incidental nature of such a use in a residential neighborhood, child day care centers may be permitted in any residence zone upon receipt of a Conditional Use Permit from the Planning Board. The Planning Board may issue a Conditional Use Permit provided the following standards and conditions are complied with:

~~1. A statement setting forth the full particulars on the operation of the structure or intended use shall be filed in triplicate with the Planning Board.~~

12. The operator of the facility must meet any and all qualifications and possess any license or certification required by the State of New Jersey for the operation of a child day care facility.

23. There must be one thousand (1,000) square feet of lot area per child. Suitable recreation area

~~must be provided in the amount of one hundred (100) square feet per child. Outdoor recreation areas shall be enclosed by a fence of no less than four (4) feet in height.~~

~~34. Off-street parking must be provided equal to five (5) parking spaces plus one (1) parking space per worker employed or to be employed at any one (1) time. A planted buffer of no less than five (5) feet in width shall be provided between a surface parking area and adjacent properties. Treatment of the buffer strip shall be subject to the approval of the Planning Board.~~

~~5. — In determining the appropriateness of a proposed site for a child day care center, the Planning Board will consider the volume of traffic on adjacent streets. The Board may also require that a traffic study be submitted to document the estimated traffic to be generated by the proposed use.~~

~~6. — The structure shall conform to the most restrictive setback requirements of the zoning district in which it will be located.~~

~~7. — A child day care center may not be located within a two-family or multifamily dwelling unless appropriate accommodations are provided to prevent any adverse impact to the residents of such dwellings.~~

~~8. — The proposed use shall in no way be apparently detrimental to surrounding property values, and the structure or use will further the general welfare of the City.~~

m. ~~Major Home Occupation Reserved.~~ as defined in this chapter, may be permitted subject to the following standards:

~~1. The primary use of the premises shall be residential and the home occupation shall be secondary to the residential use of the property.~~

~~2. Not more than 30% of the gross floor area of the dwelling and/or accessory structure may be used for the home occupation.~~

~~3. There may be up to four employees that are non-residents of the premises.~~

~~4. One off-street parking space shall be provided for every two non-resident employees. This shall be in addition to the normal residential parking requirement for the premises.~~

~~5. One, non-illuminated identification sign, not exceeding four square feet, shall be permitted on the premises.~~

~~6. There shall be no outdoor storage or display of materials.~~

~~7. There shall be no storage of hazardous or extra hazardous materials as defined by NJDEP and USEPA.~~

~~8. No manufacturing permitted on the property. The use shall not change the residential character of the property.~~

n. ~~Reserved. Planned Developments. It is recognized that there is a need in Asbury Park for standards encouraging and promoting flexibility and economy in layout and design through the use of planned developments. To address that need, planned developments, appropriate to the zone or zones in which they are proposed, may be permitted by issuance of a Conditional Use Permit by the Planning Board. The Board may issue a Conditional Use Permit provided the following standards and conditions are complied with:~~

~~1. The minimum tract area must be three (3) acres.~~

2. ~~The Planning Board may authorize a greater density or intensity of land use in one (1) section or sections than in others provided the overall development density shall not exceed that which is permitted in the zoning district where the tract is located. In the event that the tract lies in more than one (1) zone, the overall density must not exceed that which would result if the area of the tract in each zone were developed individually according to the specified densities of each zone.~~

3. ~~— A planned unit residential development is encouraged to include a variety of housing types, arranged in residential clusters linked by common open areas with pedestrian walkways separated from roads and parking areas. Residential clusters must be designed wherever possible, so that the buildings are oriented for maximum solar access. Buildings shall be energy efficient and designed for maximum passive solar gain.~~

4. ~~— A planned unit residential development may include appropriate commercial uses to service the needs of the residents, subject to approval by the Board.~~

5. ~~— Parking shall be provided in accordance with the provisions of Section 30-59.~~

6. ~~— Not less than thirty (30%) percent of the total tract area shall be dedicated for green common open space.~~

7. ~~— Ownership of Common Areas. Common areas of any tract utilized for planned development which are not accepted by the City for public use and maintenance, shall be deeded to the corporation, association, individual or individuals, or other legal entity consisting of a majority of the property owners within the development for their use, control, management and maintenance.~~

~~Any agreement providing for such ownership shall be reviewed and approved by the City Attorney to ensure that adequate safeguards are included guaranteeing the continuance of the agreement in perpetuity and protecting the City from harm. In any event the agreement shall give the City the right to perform maintenance and assess the cost to the property owners in the event the property owners fail to maintain the property in accordance with the agreement.~~

8. ~~— A planned development may be constructed in phases over a period of years provided that an approval by Planning Board of a greater concentration of density or intensity of land use for any section to be developed be offset by a smaller concentration in any completed prior stage or by appropriate reservation of common open space on the remaining land by grant of easement or by covenant in favor of the City; further provided that such reservation shall, as far as practicable, defer the precise location of common open space until an application for final approval is filed, so that flexibility of development can be maintained.~~

9. ~~— The height and bulk of uses and structures in a planned development shall conform to those standards specified for like uses and structures otherwise permitted in this chapter for the zoning district in which the proposed site is located. Uses and structures shall be designed and arranged to complement land uses adjacent to the site and adequate landscaped buffers shall be provided, subject to the approval of the Board.~~

10. ~~— Semi-detached one-family dwelling clusters in a R1A Zone or in planned development:~~

a. ~~Except as part of the townhouse development, the minimum lot width and area shall be the same as required for a one-family detached dwelling.~~

b. ~~Such uses shall be constructed in attached pairs simultaneously on contiguous lots,~~

~~except when constructed as a twin on a lot of at least seventy-five (75) feet in width and seven thousand five hundred (7,500) square feet in area.~~

~~c. The minimum remaining side yard shall be not less than thirty (30%) percent of the lot width. (d) Twin houses shall have side yards of ten (10) feet or more.~~

~~(e) Semi-detached structures may be attached by garages, covered porches or patios, or common roof areas.~~

~~11. Prior to the approval of a planned development, the Planning Board shall find the following facts and conclusions:~~

~~a. That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning ordinance standards pursuant to subsection 52c (C.40:55D-65c.) of the Municipal Land Use Law.~~

~~b. That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location and purpose of the common open space are adequate.~~

~~c. That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate.~~

~~d. That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.~~

~~e. In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.~~

~~o. Reserved Nightclubs, Teen Clubs. Nightclubs and teen clubs may be permitted where indicated in Section 30-70 by issuance of a Conditional Use Permit from the Planning Board. The Planning Board may issue a Conditional Use Permit provided the following standards and conditions are complied with:~~

~~1. Adjacent parking must be provided as specified in Section 30-59 for restaurants, bars and nightclubs.~~

~~2. Teen clubs shall mean nightclubs which do not serve alcoholic beverages and which permit the patronage of persons under the age of twenty (20). The hours of operation of teen clubs shall be limited so that no such club shall be open between the hours of 1:00 a.m. and 12 noon on any given day. No teen club shall be open when any City school is in session.~~

~~3. All premises used as teen clubs or nightclubs must be appropriately fenced and landscaped to buffer such activity from nearby residences.~~

~~4. No noise emanating from a teen club or nightclub will be permitted which is audible at the nearest property line.~~

~~5. Operators of teen clubs shall be responsible for the behavior of their patrons while they are on the premises. Such responsibility will include appropriate supervision both inside the club and in the parking areas.~~

~~p. Churches, Houses of Worship and Funeral Homes. Churches, houses of worship and funeral homes, as defined in this chapter may be permitted by Conditional Use Permit from the Planning Board~~

in zones as provided in Sections 30-69 and 30-70 subject to the following conditions. The Planning Board may issue a Conditional Use Permit provided the following standards and conditions are complied with:

- ~~1. A written statement setting forth the full particulars of the intended use must be filed in triplicate with the Planning Board. Such statement must include the estimated seating capacity, worship schedule, if applicable, and a description of activities likely to occur on the premises. The statement is required in order for the Planning Board to assess the impact, if any, of the proposed use on the surrounding area due to traffic, noise, etc.~~
- ~~2. Funeral homes shall conform to the parking requirements of paragraph o of subsection 30-59.5 and shall also provide for the storage of hearses, family cars, flower cars and any other vehicles used in the operation of the business. The Board may consider the use of off-site parking or storage facilities for such vehicles in satisfying this requirement. All other provisions of Section 30-59 shall apply with respect to the layout and design of such off-street parking areas.~~
- ~~3. In order to insure adequate area for off-street parking and associated buffers, the minimum lot size must be twelve thousand five hundred (12,500) square feet and the minimum lot width must be one hundred (100) feet.~~
- ~~4. The Planning Board may require planted buffers or other screening for the purpose of mitigating any adverse effect of light or noise generated in connection with the use of the property.~~
- ~~45. All buildings and structures shall comply with the yard requirements of the zone within which they are located, except that church buildings may be constructed to a height not exceeding two and one-half (2.5) stories and fifty (50) feet, not including steeples, cupolas, bell towers, or other such architectural features. No illuminated elements permitted above the first floor.~~
- ~~q. Reserved. Planned Arena Development in the Waterfront Redevelopment Area. It is anticipated that a need may arise within the Waterfront Redevelopment Area between the beachfront and the Central Business District for a major arena facility and that such a facility may require related facilities for convention use such as exhibition facilities. While the underlying zoning in the area between the beachfront and the Central Business District is residential, a Planned Arena Development will be permitted within an Arena Overlay District through the issuance of a Conditional Use Permit by the Planning Board, subject to conformance with the following conditions:~~
  - ~~1. The Arena Overlay District shall be the area south of Asbury Avenue which is currently residential and which borders on the B1 (Central Business District) Zone to the west and the B2 (Main Street Commercial) Zone to the east. The Overlay District shall consist of Block 129.01; Block 129.02; Block 142; Block 131; Block 128; Block 118, Lots 1, 2, 9 and 10.~~
  - ~~2. The site for the Planned Arena Development shall consist of all of the properties within the Arena Overlay District.~~
  - ~~3. The arena site may include properties on both sides of a public street or public open space, but development plans must indicate improvements to be installed to provide for safe vehicular and pedestrian circulation through the complex.~~
  - ~~4. The arena building and its attendant parking facilities must be confined to the north side of Cookman Avenue. Related facilities, such as freestanding special exhibition pavilions and outdoor theaters, may be located south of Cookman Avenue but must not cover more than thirty~~

five (35%) percent of the total portion of the site devoted to those structures. Freestanding structures devoted to related facilities must not exceed two (2) stories or thirty five (35) feet in height.

5. The arena building must not exceed a FAR of 3.0 exclusive of floor area devoted to structured parking.

6. Parking for a Planned Arena Development, inclusive of related facilities such as exhibition pavilions, shall be required equal to one (1) parking space per five (5) seats, based on maximum seating capacity. Parking may be provided on-site and/or off-site in accordance with subsections 30-59.8, 30-59.9 and 30-59.10, except that no on-site parking shall be located south of Cookman Avenue.

7. The area of the site located south of Cookman Avenue must be landscaped in a manner designed to create an aesthetic and functional relationship with the proposed Wesley Lake Waterfront Park and Bikeway. Vehicular access to the interior of this area must be restricted to service and emergency vehicles only so that the pavilions containing the related uses become architectural elements within a pedestrian-oriented, park-like setting.

8. Pedestrian walkways must be connected to adjacent public sidewalks and public spaces so as to facilitate convenient public access through and around the site.

9. Arena and residential uses shall not be combined within the Arena Overlay District.

r. Reserved. (Superseded by Ord. No. 2735)

s. Reserved Artist Loft Apartments in Commercial Buildings. The following conditional use regulations shall apply to artist loft apartments in commercial buildings within the B1 (CBD) Zone. Artist loft apartments in commercial buildings shall be permitted only upon the issuance of a Conditional Use Permit by the Planning Board, or, if a variance of a condition solely applicable to the conditional use is required, the Zoning Board of Adjustment. Application for a Conditional Use Permit shall address the conditions as specified in other regulations of this chapter in addition to the following:

1. The apartment must be located above the street level floor of the commercial building.
2. The apartment must have a separate entrance at street level and the entrance door thereto must be self-closing and locking.
3. An affidavit executed by the owner of the premises proposed for an artist loft apartment, certifying to the Board that the occupancy of the apartment during the term of its use shall require at least one (1) person, who shall be engaged in the full time pursuit of the fine arts (e.g., painting, sculpture, music, dance, theater, photography) or a recognized design profession (i.e., architecture, landscape architecture, interior design, theatrical set design, graphic design).
4. A Certificate of Zoning Compliance must be issued prior to occupancy and the artist or designer must meet the following standards:
  - a. Lofts occupied by artists. Subsequent to the issuance of a Conditional Use Permit and Certificate of Zoning Compliance for an artist loft apartment, the owner shall submit, by the last day of each year, an affidavit attesting to the participation of the artist in one (1) of the events, if any, designated by resolution of the Mayor and Council as being sponsored or co-sponsored by the City. Such affidavit shall state the dates and manner in which art work or artistic performances were made available to the public.

b. ~~Lofts occupied by designers. Designers must possess:~~

- ~~(1) A bachelor's degree in architecture, landscape architecture, interior design or related design profession; or~~
- ~~(2) One (1) year of apprenticeship with a licensed design professional; or~~
- ~~(3) Proof of membership in a recognized national professional association; or~~
- ~~(4) A professional license issued by the appropriate administrative agency of the State of New Jersey.~~

~~5. — Artist loft apartments located in commercial buildings shall contain a segregated work area of at least three hundred (300) square feet. The total size of the apartment, including the work area, shall not be less than nine hundred (900) square feet. The apartment may be arranged in a "great room" or studio format and contain open mezzanine or "loft" levels, provided that compliance with all Health, Fire and Housing Codes is maintained.~~

~~6. — Occupancy of an artist loft apartment shall be limited to one (1) person per three hundred (300) square feet of floor area, exclusive of the work area.~~

~~7. — A commercial building which is enlarged to provide for one (1) or more artist loft apartments shall be required to provide one (1) additional off street parking space per apartment.~~

~~8. — The applicant shall submit a proposal for the handling and disposal of solid waste, including the means by which differing recycling requirements between commercial and residential uses will be reconciled and shall comply with all applicable requirements regarding same.~~

t. ~~Reserved~~Accessory Apartments in Commercial Buildings. The following conditional use regulations shall apply to accessory apartments in commercial buildings where indicated as a conditional use within this chapter. Accessory apartments in commercial buildings shall be permitted only upon the issuance of a Conditional Use Permit subject to the following standards by the Planning Board, or, if a variance of a condition solely related to the conditional use is required, the Zoning Board of Adjustment. Application for a Conditional Use Permit shall address the conditions as specified in other regulations of this chapter in addition to the following:

~~1. — The accessory apartment residential dwellings must be located above the street level floor of the commercial building.~~

~~2. — The apartment residential access shall may have a separate entrance at street level that may not occupy more than 10% of the street frontage on the street the entrance faces and the entrance door thereto must be self-closing and locking. In the case of a tract having more than one street frontage, the residential access shall be limited to one street frontage.~~

~~3. — Common areas and amenity space associated with the residential use may be provided on the ground floor in an area not to exceed 20% of the block frontage, including any floor area attributed to the residential access. An affidavit executed by the owner of the premises proposed for an upper level accessory apartment, certifying to the Board that the occupancy of the apartment during the term of its use shall be restricted to at least one (1) person who is either an owner of the premises or an owner or employee of a business located on the street level of the building that will contain the apartment. Subsequent to the issuance of the initial Certificate of Zoning Compliance for the accessory apartment, the owner shall submit, each year, an affidavit certifying compliance with~~

this section. The affidavit shall be submitted at the time of the renewal of the mercantile license for the principal commercial use to which the apartment is an accessory. Upon a change in ownership of the building, the residential use of the apartment shall be terminated unless the new owner submits an affidavit to the Zoning Officer certifying that the residential use continues to conform to the above restrictions.

~~4. There shall be not more than one (1) apartment that is accessory to any one (1) commercial space.~~

~~5. Accessory apartments located in commercial buildings shall conform to the minimum size requirements of subsection 30-73.4.~~

~~6. A commercial building which is enlarged to provide for one (1) or more accessory apartments shall be required to meet the parking requirement for the commercial use plus off-street parking space for each accessory apartment until therein, except that fifty (50%) percent of the total residential parking requirement may be met through the provision of parking spaces for commercial uses within the same building which occur primarily on weekdays and which close by 6:00 p.m.~~

~~7. The applicant shall submit a proposal for the handling and disposal of solid waste, including the means by which differing recycling requirements between the commercial and residential uses will be reconciled and shall comply with all applicable requirements regarding same.~~

u. ~~Reserved~~Helistops. The following conditional use regulations shall apply to helistops where permitted as a Conditional Use within this chapter. Helistops shall be permitted only upon the issuance of a Conditional Use Permit by the Planning Board, or, if a variance of a condition is required, the Zoning Board of Adjustment. Application for a Conditional Use Permit shall address the conditions as specified in other regulations of this chapter in addition to the following:

1. ~~A statement detailing the proposed use of the site including a description of the proposed level of activity measured in flights per hour or per day, hours of operation, etc.~~
2. ~~A plan, drawn to scale, depicting the layout of the site, inclusive of the following:~~
  - (a) ~~Site security to include a fence of not less than four (4) feet in height on three (3) sides and/or security personnel, employed by the applicant, to supervise take-offs and landings for safety purposes, subject to the approval of the New Jersey Office of Aviation (NJOA).~~
  - (b) ~~Marking indicators at each corner of the landing area pursuant to minimum requirements of the Federal Aviation Administration (FAA) and New Jersey Office of Aviation (NJOA).~~
  - (c) ~~Wind sock or equivalent.~~
  - (d) ~~Passenger shelters and walkways, if any.~~
3. ~~The helistop shall not include the fueling or maintenance of helicopters and helicopters shall not be parked at the helistop except when loading or discharging passengers.~~
4. ~~The hours of operation of a helistop within a R5 (High Density Multi-family Residential) Zone shall not include flights prior to 6:00 a.m. or after 10:00 p.m., unless under special circumstances approved by the Planning Board.~~
5. ~~Any passenger shelters approved by the Planning Board as part of the issuance of a Conditional Use Permit shall be not higher than fifteen (15) feet and shall be equipped with a trash receptacle cluster for regular and recyclable waste. No advertising signage shall be permitted on the shelter or trash receptacle cluster.~~
6. ~~The operation of the helistop shall make reasonable accommodations, where possible, for the use of public transportation and "kiss and ride" pick-up/drop-off.~~
7. ~~The Conditional Use Permit issued for a helistop under this section shall be subject to a favorable determination by the NJOA after impact tests and public hearings conducted during the nine (9) month period of that agency's Temporary Permit.~~

v. ~~Reserved~~Rooming and Boarding Houses.

1. ~~Rooming and boarding houses shall contain a maximum of one hundred (100) beds.~~
2. ~~A property containing a rooming or boarding house shall be located at least one thousand (1,000) feet from any property used for a rooming or boarding house.~~

## Draft Parking and Loading Standards Update for Asbury Park

Replace/Add the following new text:

### 30-59.5 Off-Street Parking Requirements.

Off-street parking shall be provided for all development according to the following schedule:

| <i>Residential Use</i>                                                       | <i>Parking Requirement</i>                                                                                    |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| a. Single-family residence                                                   | 2 parking spaces                                                                                              |
| b. Two-family residence                                                      | 3 parking spaces                                                                                              |
| c. Multi-family residence                                                    |                                                                                                               |
| 1. 0-1 bedroom unit                                                          | 1 parking space <u>per unit</u>                                                                               |
| 2. 2 or more bedrooms                                                        | 2 parking spaces <u>per unit</u>                                                                              |
| d. Planned Residential Development                                           | 2 parking spaces per dwelling unit                                                                            |
| e. Reserved                                                                  |                                                                                                               |
| f. Reserved                                                                  |                                                                                                               |
| g. Reserved                                                                  |                                                                                                               |
| h. Commercial Uses                                                           | Parking Requirement                                                                                           |
| 1. General Requirements (when specific commercial uses cannot be identified. |                                                                                                               |
| (a) Retail trade services and office                                         | 1 parking space per employee per shift plus 1 space per 350 gross square feet of floor space                  |
| 2. When number of employees cannot be determined:                            |                                                                                                               |
| (a) Retail (including take-out food establishment) services                  | 1 parking space per 250 gross square feet of floor space                                                      |
| (b) General office, banks, research/laboratory                               | 1 parking space per 300 gross square feet of floor space                                                      |
| (c) Physicians, dentists, chiropractors                                      | 5 parking spaces per doctor or 1 parking space per 250 gross square feet of floor space, whichever is greater |
| (d) Auditoriums, stadiums, theaters, arenas and places of assembly           | 1 parking space per 5 seats, based on maximum seating capacity                                                |

|                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| i. Hotel, motel, rooming house or equivalent. Uses such as restaurants, nightclubs and retail shops that are contained within the hotel and open to the public shall be calculated separately as required herein. Fifty (50%) percent of the spaces thus calculated will be added for the parking requirement for the hotel. | 1 parking space per employee per shift plus .75 parking spaces per sleeping unit. Where number of employees cannot be determined, 1 parking space per sleeping unit                                                                |
| j. Restaurant, nightclub, bar                                                                                                                                                                                                                                                                                                | 1 parking space per employee per shift plus 1 parking space per 300 gross square feet of floor area. When number of employees cannot be determined, 1 parking space per 50 square feet of customer floor area.                     |
| k. Motor vehicle service stations                                                                                                                                                                                                                                                                                            | 10 parking spaces plus 1 space per 2 workers employed during busiest shift                                                                                                                                                         |
| l. Motor vehicle repair garage                                                                                                                                                                                                                                                                                               | 4 parking spaces per bay plus 1 space per 2 employees                                                                                                                                                                              |
| m. Truck or bus depots                                                                                                                                                                                                                                                                                                       | 1 parking space per 2 workers employed or to be employed at any one time                                                                                                                                                           |
| n. Car washes, drive-through lubrication stations                                                                                                                                                                                                                                                                            | 1 parking space per 2 workers employed or to be employed at any one time plus reservoir space for 10 cars or 5 times the number of cars capable of being processed at any one time, whichever is greater.                          |
| o. Funeral homes                                                                                                                                                                                                                                                                                                             | 1 parking space per 60 square feet of area intended for public occupancy                                                                                                                                                           |
| <b>Industrial Use</b>                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                    |
| p. Manufacturing, assembly, processing plants; wholesale trade establishments                                                                                                                                                                                                                                                | 1 parking space per 300 gross square feet of floor area                                                                                                                                                                            |
| q. Warehouses                                                                                                                                                                                                                                                                                                                | 1 parking space per working employed at any one time plus 1 parking space per 5,000 square feet of floor area or fraction thereof; where number of workers cannot be determined, 1 parking space per 500 square feet of floor area |
| <b>Schools</b>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                    |
| r. Nursery schools, day care centers                                                                                                                                                                                                                                                                                         | 5 parking spaces, plus 1 parking space per worker employed or to be employed at any one time                                                                                                                                       |
| s. Elementary, middle schools                                                                                                                                                                                                                                                                                                | 1 1/2 parking spaces per worker employed or to be employed at any one time                                                                                                                                                         |

- |                                                    |                                                                                                                                    |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| t. High schools                                    | 1 1/2 parking spaces per worker employed or to be employed at any one time, plus 1 parking space per 4 students of school capacity |
| u. Colleges, universities, professional institutes | 1 parking space per employee plus 1 parking space per 2 students enrolled                                                          |
| v. Theme entertainment centers                     | 1 parking space per 45 square feet of usable visitor floor area                                                                    |
| w. Exhibition pavilions                            | 1 space per 200 square feet of usable visitor area floor                                                                           |
| x. Bed and Breakfast Establishments                | 0.75 per sleeping unit and one (1) space per employee per shift.                                                                   |

(2000 Code § 30-59.5; Ord. No. 2735)

### **30-59.6 Requirements for Uses and Buildings Not Included in Schedule.**

Reasonable and appropriate off-street parking requirements for buildings and uses not specifically provided for shall be determined by the Zoning Officer ~~Development Coordinator~~, upon consideration of all factors entering into the parking needs of such use and by comparison with the uses enumerated above. In the case of an Application for Development, final determination shall be made by the Board hearing the application. (2000 Code § 30-59.6)

### **30-59.12 Parking Spaces and Areas.**

Parking spaces and areas must be designated and installed as follows:

- a. All off-street parking and loading spaces shall be arranged in an orderly manner to avoid unsafe conditions and to provide adequate access for vehicles and pedestrians using the area.
- b. Parking stalls for full-size vehicles shall be provided in accordance with the following:
  1. The minimum dimensions for each angle parking stall shall be eight (8) feet six (6) inches in width and ~~eighteen~~<sup>nineteen</sup> (18<sup>9</sup>) feet in length.
  2. Parallel parking spaces, adjacent to curbs, sidewalks, driveways and buildings, shall be a minimum of seven (7) feet in width and twenty-two (22) feet in length.
- c. Parking stalls for compact vehicles shall be provided in accordance with the following:
  1. The minimum dimensions for each parking stall shall be seven (7) feet six (6) inches in width and fifteen (15) feet in length.
  2. Compact parking stalls shall be permitted only for those uses set forth in subsection 30-59.5c, d, h.2b, h.2d, i, p, q, s, t and u provided that:
    - (a) Not more than ~~twenty~~<sup>thirty</sup>-five (32<sup>5</sup>%) percent of the parking spaces required by these regulations shall be for compact vehicles;

(b) The minimum number of parking spaces required by these regulations shall be in excess of fifty (50) spaces; and

(c) Compact parking stalls shall be grouped in contiguous, uniform stalls and shall have signs placed in appropriate locations indicating PARKING FOR COMPACT VEHICLES ONLY.

3. All or any part of the parking spaces provided in addition to those required by these regulations may be for compact vehicles.

4. To obtain approval of a parking layout with compact parking stalls, a site plan must first be submitted to the Planning Board for approval which demonstrates that sufficient parking is capable of being provided to meet the minimum requirements of these regulations for full-size parking stalls. Upon such demonstration, the Planning Board may then approve an alternate and different site plan containing compact parking stalls, in accordance with the requirements set forth herein. In no event shall the provision of compact parking stalls result in an increase in the floor area or the number of dwelling units permitted with the provision of full-size parking stalls.

d. Tandem parking may be permitted in multi-family developments where it can be shown that tandem spaces can be accommodated within the parking facility without obstructing access to other parking spaces, aisles, or pedestrian accessways. When provided, both spaces in tandem must be assigned to a specific dwelling unit and signed accordingly.

e. Minimum Aisle Widths.

1. The minimum aisle width required to provide maneuvering space and access to parking stalls shall be as follows:

| <i>Parking Angle<br/>(degree)</i> | <i>Stall Width<br/>(feet)</i> | <i>Aisle Width<br/>(feet)</i> | <i>Stall Width<br/>(feet)</i> | <i>Aisle<br/>Width<br/>(feet)</i> |
|-----------------------------------|-------------------------------|-------------------------------|-------------------------------|-----------------------------------|
| 0                                 | 7                             | 12                            | 7                             | 12                                |
| 45                                | 8.5                           | 13                            |                               |                                   |
|                                   | 9.0                           | 12                            | 7.5                           | 12                                |
|                                   | 9.5                           | 12                            |                               |                                   |
| 60                                | 8.5                           | 18                            |                               |                                   |
|                                   | 9.0                           | 16                            | 7.5                           | 14                                |
|                                   | 9.5                           | 15                            |                               |                                   |
| 75                                | 8.5                           | 22                            |                               |                                   |
|                                   | 9.0                           | 21                            | 7.5                           | 17                                |
|                                   | 9.5                           | 20                            |                               |                                   |
| 90                                | 8.5                           | 24                            |                               |                                   |
|                                   | 9.0                           | 23                            | 7.5                           | 22                                |
|                                   | 9.5                           | 22                            |                               |                                   |

2. The stall width shall be measured perpendicular to the direction of parking. When columns occur along the side lines of parking stalls located within a building or structure, the width of the stall shall be determined by dividing the clear dimensions between column faces, measured perpendicular to the direction of parking, by the number of stalls between adjacent columns whenever the width of the stall so determined is less than nine (9) feet. In such cases,

the painted side stripe defining each stall adjacent to a column shall be placed at the face of column rather than at the center line of the column, and the space between the column faces shall be divided into stalls of equal width.

3. The aisle width dimensions as set forth in the chart in paragraph d.1 of subsection 30-59.12 assume one-way circulation for all parking angles. At a parking angle of ninety (90°) degrees the same dimensions apply for two-way circulation.

4. For a parking angle of zero (0°) degrees, add ten (10) feet to the aisle for two-way circulation.

~~fe.~~ Where parking stalls of different dimensions share the same aisle, the parking stall requiring the greater aisle width shall govern.

~~gf.~~ All access drives, and parking and loading areas shall be paved with an appropriate hard-surface pavement that is durable, dust-free and maintained in good condition.

~~hg.~~ Individual parking and loading spaces, aisles, crosswalks, and entrances and exits shall be suitably identified with lines and arrows, subject to the approval of the Zoning Officer.

~~ih.~~ The provisions of paragraphs c, d, e and f shall not apply to the parking requirements for one- and two-family residences.

### **30-59.14 Buffer Strips and Internal Landscaping.**

a. The design of planting areas within parking and loading areas shall be adequate to screen parking and loading activities from the street or any adjoining lots. All off-street parking and loading areas of five (5) or more spaces, located between a building or use and the street on which it fronts, shall be separated from the street with a buffer strip. The buffer strip shall be a minimum of ten (10) feet in width and landscaped with trees and shrubs to provide for driver and pedestrian safety and to improve the appearance of the parking area.

b. Off-street parking areas with more than ten spaces shall have planting beds, at least five feet in width measured from the interior of the surrounding curbing or hardscape, around the perimeter of the parking area. Such planting strips shall be interrupted only at points of ingress and egress and where the parking area or access drive abuts a building on the same lot. Although the preference is for plantings, which offer environmental benefits in addition to visual screening, a wall or fence may be implemented when dimensional requirements (size and orientation of parking aisles, spaces and turning movements) make plantings impracticable or inappropriate. Where the perimeter of a parking lot abuts another parking lot with at least ten (10) spaces, such abutting portion of the lot shall be exempt from providing perimeter planting. No buildings, structures, storage of materials, or parking facilities shall be permitted within the buffer area. All uses permitted in residence zones with off-street parking of five (5) or more spaces shall provide a buffer strip, a minimum of five (5) feet in width, on all sides which abut a residence zone or use permitted in a residence zone.

c. All uncovered off-street parking and loading areas of twenty (20) or more spaces shall be provided with planting islands. The planting islands shall be landscaped with trees and shrubs to channel internal traffic flow, prevent indiscriminate movement of vehicles, aid pedestrian circulation and improve appearance of the parking area. ~~The size, location and frequency of planting islands shall be subject to the approval of the Planning Board.~~

d. Shade trees shall be provided at the rate of one tree for each four (4) parking spaces and placed so that all spaces are shaded to the maximum extent possible.~~The treatment of the buffer strips and planting islands shall be subject to the approval of the Planning Board. All buffer strips and planting islands must be kept free of rubbish and maintained to the satisfaction of the Zoning Officer.~~

e. Where parking and loading spaces abut sidewalks, buffer strips, planting islands or similar construction, a curb or wheelstop shall be provided to prevent vehicles from overhanging or otherwise damaging the construction.

f. The total landscaped area of any uncovered parking area must not be less than ten (10%) percent. (2000 Code § 30-59.14)

### **30-59.19 Requirement for Freestanding Parking Structures.**

Freestanding parking structures where permitted in Sections ~~30-69~~ and 30-70 shall be located and designed in accordance with the following:

a. Parking structures located outside the "Renewal Area," as demarcated in the Waterfront Redevelopment Plan, as amended, shall conform to the yard requirements of the zone in which they are located.

b. Parking structures located within the "Renewal Area," as demarcated in the Waterfront Development Plan, as amended, shall be subject to the height and setback restrictions specified in the Development Control Plan of the Waterfront Redevelopment Plan Figure 1 of Schedule 1, except that the following requirements shall also apply:

1. No parking structure shall exceed a height of five (5) levels or fifty (50) feet.
2. A parking structure of two (2) or more levels shall not be located nearer than thirty (30) feet from a street wherein the centerline forms the zone boundary of an R3, R2 or R1 Zone. The area between the structure and the streetline shall be attractively landscaped so that the foundation of the structure is screened from view of neighboring residences. Shade trees shall be located on both sides of the public sidewalk along the street frontage at intervals specified in Section 30-57.12 of this chapter and shall be continued, when possible, across the entire block front.
3. A parking structure shall not be located nearer than ten (10) feet to any interior lot line. A distance shall be maintained between parking structures and existing buildings on adjacent properties as is required in subsection 30-56.1.
4. A parking structure of four (4) or more levels, or more than thirty (30) feet in height, shall not be located nearer than thirty (30) feet from a zone boundary of an R3, R2 or R1 Zone.
5. A parking structure of four (4) or more levels, or more than thirty (30) feet in height, shall not be located nearer than thirty (30) feet from an adjacent lot containing a use permitted in any residential zone.
6. The street level of a parking structure shall not be located within forty (40) feet of Kingsley Street, unless the floor area of the structure within that distance is devoted to retail

commercial space and the height of the structure within that distance does not exceed forty (40) feet. No upper level portions of a parking structure which are devoted to parking shall be located nearer than twenty (20) feet of Kingsley Street.

7. No parking structure shall be located within fifteen (15) feet of any other street located within the Waterfront Redevelopment Area. The area between the structure and the streetline shall be attractively landscaped so that the foundation of the structure is screened from view as seen from the street. Shade trees shall be located on both sides of the public sidewalk along the street frontage at intervals specified in subsection 30-57.12 and shall be continued, when possible, across the entire block front.

8. No freestanding parking structure shall be located within a block having frontage upon a street immediately abutting public parks along Wesley, Sunset or Deal Lakes.

c. Parking structures shall be designed and constructed to meet or exceed the following standards:

1. Roof top parking areas shall meet the same interior landscape requirements as specified for surface parking lots in paragraphs c, d, e, f of subsection 30-59.14.

2. The architectural design for the facades of parking structures facing a public street shall provide 50% of the ground level façade with habitable space or other active uses and incorporate features such as articulated parapet walls, ornamental projections, varied planter widths, etc., to add visual interest and improve the overall appearance of the structure as viewed from the street. (2000 Code § 30-59.19)

# EXHIBIT B

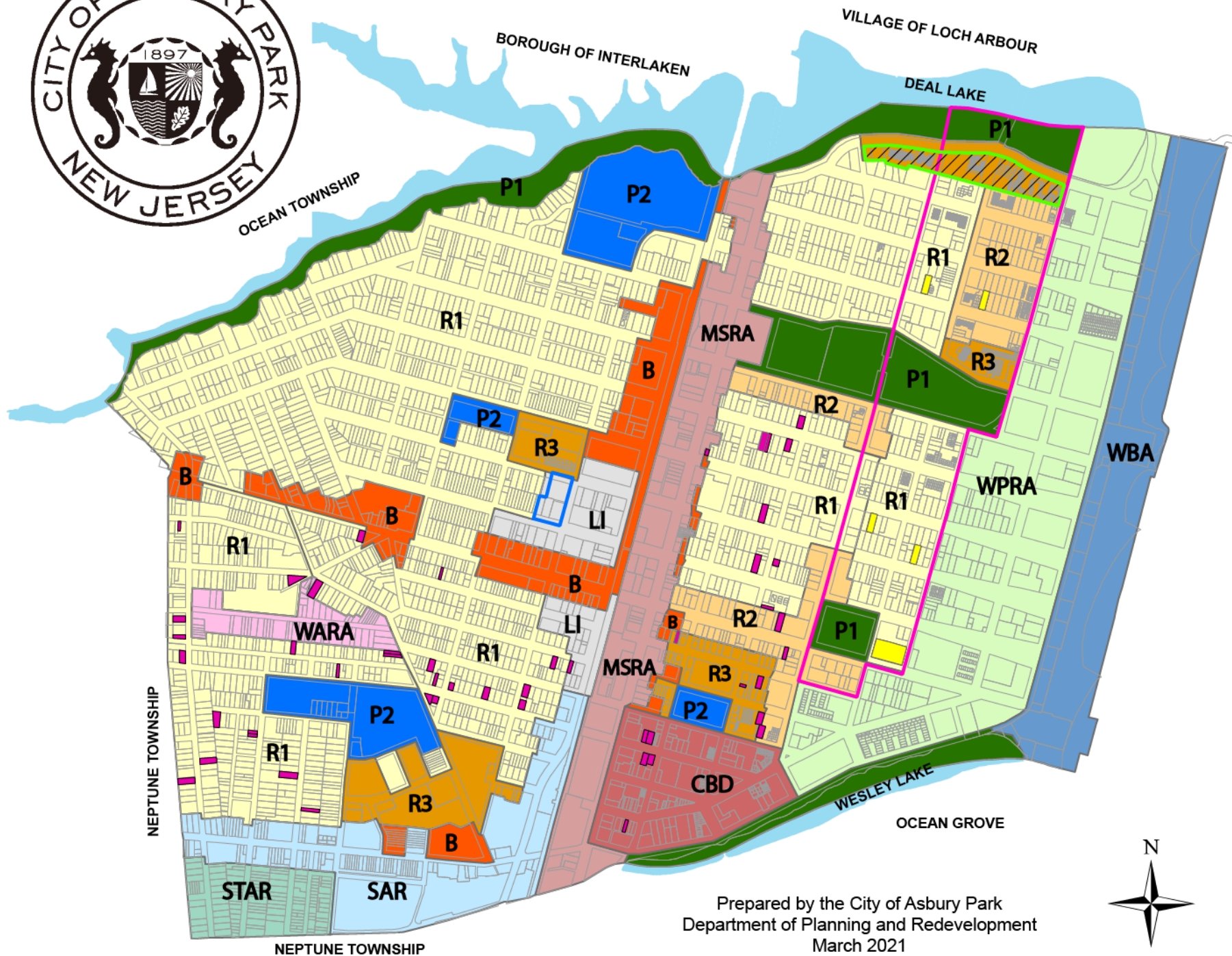
# MAP

# EXHIBIT B

# MAP



# CITY OF ASBURY PARK ZONING DISTRICTS AND REDEVELOPMENT AREAS



- ZONING DISTRICTS AND REDEVELOPMENT AREAS**
- 1001 FIRST AVE REDEVELOPMENT AREA
  - DEAL LAKE DRIVE INCLUSIONARY HOUSING DISTRICT
  - WRIA WATERFRONT RENOVATION INFILL AREA
  - SCATTERED SITE REDEVELOPMENT PROGRAM PHASE IA
  - SCATTERED SITE REDEVELOPMENT PROGRAM PHASE I
  - B BUSINESS DISTRICT
  - CBD CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA
  - LI LIGHT INDUSTRIAL
  - MSRA MAIN STREET REDEVELOPMENT AREA
  - P1 PARKS
  - P2 SCHOOLS
  - R1 SINGLE FAMILY RESIDENTIAL
  - R2 ONE AND TWO FAMILY RESIDENTIAL
  - R3 MEDIUM DENSITY RESIDENTIAL
  - SAR SPRINGWOOD AVENUE REDEVELOPMENT AREA
  - STAR STARS REDEVELOPMENT AREA
  - WARA WASHINGTON AVENUE REDEVELOPMENT AREA
  - WBA WATERFRONT BOARDWALK AREA
  - WPRA WATERFRONT PRIME RENEWAL AREA

Prepared by the City of Asbury Park  
Department of Planning and Redevelopment  
March 2021





Minutes  
Meeting of the Municipal Council  
Wednesday, June 9, 2021  
REGULAR MEETING

---

**Executive Session - 4:00 p.m.**

2021-279 Resolution Authorizing a meeting which excludes the public

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

**ATTORNEY-CLIENT PRIVILEGE**

**Workshop Session - 6:00 p.m.**

1. Call to Order/Roll Call

| Attendee Name      | Title         | Status  | Arrived |
|--------------------|---------------|---------|---------|
| Eileen Chapman     | Councilmember | Present |         |
| Yvonne Clayton     | Councilmember | Present |         |
| Jesse Kendle       | Councilmember | Present |         |
| Amy Quinn          | Deputy Mayor  | Present |         |
| John Moor          | Mayor         | Present |         |
| Melody Hartsgrove  | City Clerk    | Present |         |
| Donna Vieiro       | City Manager  | Present |         |
| Frederick Raffetto | City Attorney | Present |         |

City Clerk Melody Hartsgrove called the meeting to order at 6:00 PM.

2. Silent Prayer/Moment of Reflection

3. Salute to the Flag

4. Announcement - Open Public Meetings Act

**PROCLAMATION**

1. Juneteenth 2021  
Proclamation for Juneteenth 2021.
2. Continental Societies, North Jersey Shore Chapter 50th Anniversary  
Proclamation for Continental Societies, North Jersey Shore Chapter 50<sup>th</sup> Anniversary.
3. Mercy Center Day  
Proclamation for Mercy Center Day.

### **SPECIAL EVENTS**

Director of Recreation, Leesha Floyd presented Special Events applications to Mayor and Council.

### **ITEMS TO BE PRESENTED:**

#### Matters from City Council

Council member Chapman stated, I would just like to say welcome back. The last year has been a challenge for all of us and we wouldn't have gotten through it and wouldn't be here tonight without the support the Asbury Park city staff and manager, our residents, and our business community. Thanks to all of you for your support and for being here tonight.

Council member Clayton stated, just a couple of announcements: one, Asbury Park summer day camp for children is from ages 5-12. It begins on July 6<sup>th</sup> through August 13<sup>th</sup>. If you have any questions you can contact Leesha Floyd or any member of our staff. Second, the city has a grant for small businesses of \$2,500. These are small businesses that have been affected by the pandemic. So please if you are a small business, please apply. The money is here, and we would like to support our businesses.

Council member Kendle stated, My family and I would like to send our condolences to the Ellis Neel family. They have been in this town for over 40 years and they have worked hard with the kids and the school system. We would just like to send our condolences out to them.

Deputy Mayor Quinn stated, condolences to the Ken Ross family from the entire council. He was a really important person in Asbury Park and a guy who really cared about transportation. We just wanted to give a heart felt sorry to him and his family.

Mayor Moor stated, it's a shame but I have to follow up with last evening Lawson June a former council person, deputy mayor, and one of the leaders of Citizens on Patrol past away. Lawson was one of the nicest people you'd ever meet in your life. Our condolences go out to his wife Ann and their children and their entire family. Again, just a wonderful person. Within the past 12-13 months I've been making a lot of side bets with everyone. I won my bet tonight, so anyone

who wants to pay me, please don't pay me the money, just make the check out to the Police Athletic League.

Matters from City Manager  
City Manager, Donna Vieiro had no matters at this time.

Matters from City Attorney  
City Attorney, Frederick Raffetto had no matters at this time.

### **PUBLIC PARTICIPATION**

A motion was made by Council member Chapman and seconded by Council member Kendle to open the meeting to the public. All were in favor. The following members of the public spoke: Pam Lamberton asked a question about the Bradley Cove project; Ernest Mignoli made a comment about the Ansell, Grimm Aaron law firm; Rita Marano made a comment about the recent Planning Board meeting; Louise Murray asked a question about quotes and bids; Sylvia Sylvia made a comment about a free food distribution event.

A motion to close the meeting to the public was made by Mayor Moor and seconded by Council member Chapman. All were in favor.

### **MINUTES**

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

1. Municipal Council-Executive Meeting May 26, 2021 4:00 PM
2. Municipal Council - Regular Meeting - May 26, 2021 6:00 PM

### **CONSENT AGENDA RESOLUTIONS**

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-280 Resolution Approving Special Event Applications

2021-281 Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Restaurant V LLC, in the City of Asbury Park, County of Monmouth, New Jersey

2021-282 Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Thirty Property Holdings, LLC-d/b/a/ Convention Hall Concessions ( Beach Bar) in the City of Asbury Park, County of Monmouth, New Jersey

- 2021-283 Resolution Approving 2021-2022 Alcoholic Beverage Control License for SRI Sarawati, Inc-d/b/a/ Mak on Main Liquors in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-284 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Akshay Enterprises-d/b/a/ Main Liquors in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-285 Resolution Approving 2021-2022 Alcoholic Beverage Control License for RBAR AP, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-286 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 614 Liquor License, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-287 Resolution Approving A Liquor License Renewal With Special Conditions For Steinbach Liquor License, LLC Trading As- Asbury Ale House/ Lola's Cafe/ The Bonney Read Relating To License Number 1303-33-017-012, For The 2021-2022 Licensing Term.
- 2021-288 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 601-603 Liquor License Partnership, LLC, -d/b/a/ Barrio Costero in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-289 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Georg EE, Inc.-d/b/a/ Georgies in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-290 Resolution Approving 2021-2022 Alcoholic Beverage Control License for House of Independents, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-291 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Cookman Limited Liability Co. ,-d/b/a/ Brandos Restaurant in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-292 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Asbury F&B , LLC-d/b/a/ The Berkeley Hotel in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-293 Resolution Approving 2021-2022 Alcoholic Beverage Control License for 1101 Ocean Ave Venture, LLC in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-294 Resolution Approving the Renewal of Hotel Liquor License No. 1303-36-069-002, which is held by 210 5th Ave. Venture Urban Renewal, LLC, D/B/A The Asbury Hotel, for the 2020-2021 License Term
- 2021-295 Resolution Approving 2021-2022 Alcoholic Beverage Control License for AP Restaurant III , LLC-d/b/a/ The Wonder Bar in the City of Asbury Park, County of Monmouth, New Jersey

- 2021-296 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Stone Pony Liquor License , LLC-d/b/a/ The Stone Pony in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-297 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Cookman Restaurant Group, LLC d/b/a/ Cross & Orange in the City of Asbury Park, County of Monmouth, New Jersey
- 2021-307 Resolution Approving 2021-2022 Liquor License Renewal for 1303-33-013-001 Monmouth Lodge #122, IBPOE
- 2021-308 Resolution Approving 2021-2022 Alcoholic Beverage Control License for Perez Roberto-d/b/a/ Super Extra Liquors in the City of Asbury Park, County of Monmouth, New Jersey

### **INDIVIDUAL RESOLUTIONS**

- 2021-298 Resolution Approving Payment of Bills

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                 |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor                                 |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember                             |
| <b>AYES:</b>     | Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn |
| <b>NAYS:</b>     | John Moor                                               |

- 2021-299 Resolution Authorizing Brake Repairs to the 2013 Seagrave Tower Ladder at the Fire Department

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

- 2021-300 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2021 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Click It or Ticket Grant

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

- 2021-301 Resolution of the City of Asbury Park, County of Monmouth, State of New Jersey Providing for the Insertion of Special Items of Revenue in the 2021 Budget of the City of Asbury Park Pursuant to N.J.S.A. 40A:4-87 (Chapter 159) - Senior Center Grant

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-302 Resolution Authorizing a Professional Services Contract to General Code for 2021 Ordinance Codification

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | John Moor, Mayor                      |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-303 Resolution Authorizing the Annual Renewal of Gunfire Technology with ShotSpotter

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Yvonne Clayton, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-304 Resolution Authorizing a Professional Services Contract to The Rodger's Group for Police Training

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                 |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor                                 |
| <b>SECONDER:</b> | Jesse Kendle, Councilmember                             |
| <b>AYES:</b>     | Eileen Chapman, Yvonne Clayton, Jesse Kendle, Amy Quinn |
| <b>NAYS:</b>     | John Moor                                               |

2021-305 Resolution Designating Red Bank to Serve as Lead Municipal Agency as Part of The Sustainable Monmouth Alliance Energy Aggregation Program

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Amy Quinn, Deputy Mayor               |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

2021-306 Resolution Ratifying the Appointment of Tax Collector for the City of Asbury Park

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

## **ORDINANCES**

### **Introduction**

2021-26 Amendment to the Main Street Redevelopment Plan

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>INTRODUCED [UNANIMOUS]</b>         |
|                  | <b>Next: 7/14/2021 6:00 PM</b>        |
| <b>MOVER:</b>    | Jesse Kendle, Councilmember           |
| <b>SECONDER:</b> | John Moor, Mayor                      |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

### Second Reading/Public Hearing

3. An Ordinance Amending Various Sections of Chapter XXX, Entitled “Land Development Regulations,” of The Code of the City of Asbury Park, New Jersey.

A motion to open 2021-20 to the public was made by Council member Chapman and seconded by Council member Clayton. All in favor. The following members of the public spoke: Ernest Mignoli and Rita Marano.

A motion to close 2021-20 was made Council member Chapman and seconded by Deputy Mayor Quinn.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Yvonne Clayton, Councilmember         |
| <b>SECONDER:</b> | Eileen Chapman, Councilmember         |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

4. An Ordinance Amending Various Sections of Chapter XXX, Entitled “Land Development Regulations,” of The Code of the City of Asbury Park, New Jersey and Amending the Official Zoning Map

A motion to open 2021-21 to the public was made by Council member Clayton and seconded by Mayor Moor. All in favor. The following members of the public spoke: Ernest Mignoli.

A motion to close 2021-21 was made by Deputy Mayor Quinn and seconded by Council member Clayton.

|                  |                                       |
|------------------|---------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Eileen Chapman, Councilmember         |
| <b>SECONDER:</b> | Amy Quinn, Deputy Mayor               |
| <b>AYES:</b>     | Chapman, Clayton, Kendle, Quinn, Moor |

### ADJOURNMENT

The meeting was adjourned at 7:05 PM

A motion to close the meeting was made by Council member Chapman and seconded by Council member Kendle. All in favor. Meeting was adjourned at 7:05 PM

Respectfully submitted by:

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Melody Hartsgrrove, Deputy City Clerk