

**BOROUGH OF BELMAR
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 2021-19

BOND ORDINANCE PROVIDING FOR THE 2021 ROAD IMPROVEMENT PROGRAM, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,000,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$50,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$950,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of the 2021 Road Improvement Program, including improvements to 15th Avenue - Phase II and various other road improvements within the Borough, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$950,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,000,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,000,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$50,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$950,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the

form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE 2021-21

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIX, TRAFFIC, LOADING ZONES OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF BELMAR, IN THE COUNTY OF
MONMOUTH, NEW JERSEY**

WHEREAS, the Borough of Belmar Mayor and Council wish to amend certain sections of Chapter XIX, Traffic.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey, that Chapter XIX, Traffic, of the Borough of Belmar Revised General Ordinances are hereby amended and supplemented as follows:

SECTION I. 19-38 LOADING ZONES

The following additional locations described are hereby designated as Loading Zones. No person shall park a vehicle in these locations during the times indicated other than for the loading or unloading of goods and materials.

<i>Name of Street</i>	<i>Time</i>	<i>Side(s)</i>	<i>Location</i>
Ocean Avenue	15 minutes	West	West side of Ocean Avenue south of the 10 th Avenue curb line in front of 1000 Ocean Avenue

SECTION II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency

ORDINANCE 2021-22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII, STREET EXCAVATIONS, SIDEWALKS AND CURBS, OF THE GENERAL ORDINANCES OF THE BOROUGH OF BELMAR

WHEREAS, the Borough of Belmar desires to amend its ordinance pertaining to street openings.

NOW, THEREFORE BE IT ORDAINED by the Borough of Belmar, County of Monmouth, New Jersey that Chapter XVII, Street Excavations, Sidewalks, and Curbs of the Borough of Belmar, Revised General Ordinance is amended and supplemented as follows:

SECTION I. Chapter XVII, Section 27-1.4 Street Excavations, Sidewalks and Curbs

- a. No permit shall be issued for any excavation in a street or sidewalk which has been newly paved or resurfaced by or on behalf of the Borough for a period of three years from the date of the acceptance by the Borough of the paving or resurfacing work, except under the following conditions:
 - b. A permit may be issued for a utility tap opening of no more than nine square feet in area in a street or sidewalk which was newly paved or resurfaced during this three-year period, pursuant to subsection 27-1.2, subject to the following conditions:
 1. The purpose of the excavation is for a tap to provide original utility service to a home or other structure being newly constructed or repairs to an existing utility service.
 2. The issuance of the permit shall be conditioned upon the posting by the applicant of a cash deposit to guarantee restoration in the amount of \$500.
 3. The area of a street excavated shall be restored with stabilized base course level and shall be made flush with the existing pavement.
 4. After the passage of 60 days and prior to the expiration of 90 days from the date of the completion of the work, the patched area of the street shall be heated with an infrared heater to an area two feet outside of the edge of the original cut, and bituminous concrete surface course shall be installed over the extended area.
 5. When an excavation is made to a sidewalk, the area must be restored to its original condition with pavers where applicable, or in the alternative, cement.
 6. The Borough Engineer or Department of Public Works shall inspect the restoration work. If the restoration work is properly and timely completed, the Borough Clerk shall return the restoration deposit to the applicant. Should the Borough Engineer or Department of Public Works determine that the restoration work has not been properly completed, or if the restoration work is not completed within 90 days, the restoration deposit shall be forfeited to the Borough.
 7. The applicant shall also deposit with the Borough a maintenance guarantee in the amount of \$1,000, which may be posted in the form of cash or bond. The maintenance guarantee shall be held by the Borough for a period of five years and shall be utilized if necessary for the repair, resurfacing, restoration or paving of the area excavated, pursuant to the permit. Should such work not be necessary during the five-year period, the maintenance guarantee shall be returned to the applicant.

SECTION II. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION III. All Ordinances or parts of ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

ORDINANCE NO. 2021-23

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 20
ENTITLED LICENSES--GENERAL.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 20 of the Borough Code is hereby amended to include the following:

SECTION I. Section 20-3 entitled “Peddlers and Solicitors” subsection 20-3.3 entitled “Regulations” is hereby by amended and supplemented to read as follows:

- A. All licenses and licensees under this section are subject to the provisions and regulations of this Chapter and each licensee shall in addition be required to carry at all times and display to any person upon request his license and identification. Further, it shall be the duty of the Chief of Police, the Borough License Officer and any Police Officer of the Borough to require any person seen peddling, soliciting, canvassing or distributing, as defined in this Chapter, who is not known by such officer to be duly licensed, to produce his/her peddler's, solicitor's, canvasser's or distributor's license, as the case may be.
- B. No individual or organization shall be permitted to obtain a license in accordance with this section upon a third or subsequent conviction for uninvited soliciting as defined by Borough Ordinance 16-24.2 for a period of one year from the date of conviction.

SECTION II. To avoid confusion Section 20-3.3 of the Borough Code is hereby deleted in its entirety and replaced with the provisions set forth herein.

SECTION III. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision,

clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION IV. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

ORDINANCE NO. 2021-24

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XVI
ENTITLED POLICE REGULATIONS.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 16 and Chapter 20 of the Borough Code is hereby amended to include the following:

SECTION I. Section 16-24.2 entitled “Prohibition of Soliciting, Canvassing; Registration and Regulations” is hereby by amended and supplemented to read as follows:

A. Soliciting.

1. No person shall solicit on behalf of a charitable organization or for a charitable purpose, as defined in subsection 16-24.1, without registering with the Borough as set forth herein. This section and the requirements herein do not relieve persons or organizations from the licensing requirements of the Borough of Belmar Revised General Ordinances, if applicable, for other activities not defined or addressed herein.

B. Canvassing.

1. Persons or organizations are permitted to canvass, as defined in subsection 16-24.1, without registering with the Borough. This section and the requirements herein do not relieve persons or organizations from the licensing requirements of the Borough of Belmar Revised General Ordinances, if applicable, for other activities not defined or addressed herein.

C. No Knock Registry.

1. The Borough Clerk shall maintain a list of names and addresses of residents who have determined that solicitors, peddlers and/or hawkers shall not be invited to their respective residence. Any resident shall be included on such list if they complete a form to be so included. The form shall be available at Borough Hall and online. The list shall be distributed to applicants seeking a license for the purposes mentioned herein. The licensee shall not solicit, peddle or hawk at any residence on the list. Any solicitor, peddler or hawker who goes upon any premises or rings a doorbell upon or near any door or creates any sound in any manner calculated to attract the attention of the occupant of such residence, when such residence is on

the list provided shall be considered to be engaging in uninvited soliciting subject and shall be subject to the penalties set forth herein.

D. Exceptions to No Knock Registry.

1. Members of religious groups who appear at the premises for those purposes.
2. Political or political action group persons who appear at the premises for those purposes.
3. Annual fundraising events by bona fide 501C3 organizations.
4. Halloween trick or treaters.

E. License required.

1. Any person or organization wishing to solicit, as defined in subsection 16-24.1, must comply with all licensing requirement set forth in Chapter 20 of the Borough Ordinances and must register with the Borough at least 48 hours prior to the commencement of soliciting, as follows:
 - i. The person or organization must submit a letter to the Borough Clerk, upon the organization's letterhead if applicable, containing at least the following information:
 1. The specific date(s) and times of day the participants will be in Belmar; and
 2. The specific location(s) where the solicitation will occur; and
 3. The name, address, and a legible photocopy of a form of identification for each participant; and
 4. The name, mailing address and telephone number of a person to contact should any questions arise before the person or organization comes to the Borough and the same information for a person to act as a contact while the person or organization is present in Belmar.
 - ii. Upon receipt of this information, the Borough Clerk shall promptly provide copies of the same to the Chief of Police, and the Director of Code Enforcement.
 - iii. No fee or other cost shall be charged to the person or organization in conjunction with the requirements of this section. The Borough will only contact the person or organization if the Borough determines that certain persons or the organization will not be permitted to solicit in the Borough.

Appeals from the Borough's decision in this regard may be taken to any court of competent jurisdiction. The basis for the Borough's determination that certain persons, or the organization, will not be permitted to solicit in the Borough are:

1. Any pending criminal or quasi-criminal claims of fraud, financial wrongdoing, acts of violence, robbery, burglary or other claims involving the person's or the organization's moral turpitude; or
2. A conviction or finding within the past three years against the persons, or the organization, in any criminal, quasicriminal or civil matter involving fraud, financial wrongdoing, acts of violence, robbery, burglary or other claims involving the persons or organization's mortal turpitude.

F. Regulations. Once a person or organization has registered with the Borough, the following regulations apply to their solicitation activities:

1. No solicitation is allowed after 9:00 p.m. or before dawn. The Borough requests, but does not require, that solicitation occur during daylight hours.
2. Persons, organization and its participants must abide by all other rules, regulations, ordinances and laws.
3. Failure to abide by these prerequisites, regulations and conditions may result in legal action and/or criminal process, and the person and/or organization may be ordered to cease all further solicitation until the applicable prerequisites, regulations and conditions have been complied with.

G. Violations and Penalties.

1. A person or organization violating the terms of this article or engages in uninvited soliciting shall be subject to revocation of the Borough-issued license and issued the following penalties:
 - i. First offense: a fine of \$250.00.
 - ii. Second offense: a fine of \$500.00.
 - iii. Third or subsequent offense: a fine of not less than \$1000.00, nor more than \$2000.00.

SECTION II. To avoid confusion Section 16-24.2 of the Borough Code is hereby deleted in its entirety and replaced with the provisions set forth herein.

SECTION III. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION IV. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

**BOROUGH OF BELMAR
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 2021-25

BOND ORDINANCE PROVIDING FOR VARIOUS WATER-SEWER UTILITY IMPROVEMENTS, APPROPRIATING \$375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$375,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Belmar, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$375,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Borough as set forth in N.J.S.A. 40A:2-7h

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$375,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various Water-Sewer Utility improvements, including but not limited to, painting the water tower and the purchase of water meters and associated equipment, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$375,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$375,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$375,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$50,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as Water-Sewer Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is not increased by the authorization of the \$375,000 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Borough's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law

(d) An aggregate amount not exceeding \$75,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.