



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE 17-01

### AN ORDINANCE AMENDING CHAPTER 21-8 OF THE BOROUGH CODE CONCERNING THE DEFINITION OF LOT COVERAGE

**WHEREAS**, N.J.S.A. 40:55-D-1, et seq., authorizes local governmental units to adopt ordinances to regulate land use to promote the public health, safety, morals and general welfare; and

**WHEREAS**, the Borough regulates land use and zoning by and through Chapter 21 of the Borough Code; and

**WHEREAS**, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 21-8 to provide for the within changes; and

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

#### **SECTION I.**

The following section of Chapter 21, Section 8, "Definitions", of the Borough Code shall be amended to provide as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 21 that will remain unchanged are shown in normal type).

LOT, COVERAGE - That percentage of the plot or lot area covered by impervious surface, inclusive of ~~***gravel parking***~~ **and** driveway areas **containing asphalt and/or concrete surfaces**, but exclusive of ~~***gravel areas as well as***~~ terraces and decks in conformance with subsection 21-65.27.

**SECTION II. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

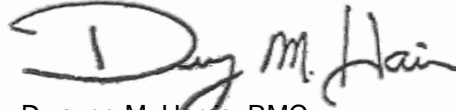
**SECTION III. REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION IV. EFFECTIVE DATE.** This Ordinance shall take effect after final passage as provided by law.

Public Hearing and possible adoption will be on March 01, 2017.

INTRODUCTION Ordinance 01-2017	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD			X			
D'ARRIGO			X			
WELLS		X	X			
O'NEAL	X		X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held January 18, 2017. WITNESS my hand this 19th day of January 2017.



Dwayne M. Harris, RMC  
Acting Municipal Clerk

**Motion:** Adopt Ordinance 17-01, **moved** by Councilmember Broullon; **Seconded** by Councilmember Card.

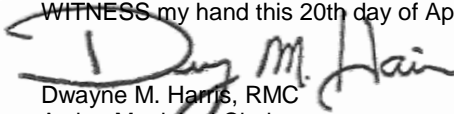
**Vote:** Motion carried by roll call vote (summary: Yes = 5; No = 0).

**Yes:** Councilmembers Broullon, Card, D'Arrigo, Wells and Mayor O'Neil

**No:** None

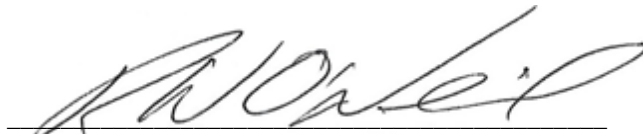
**Absent:** None

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Meeting, held April 06, 2017. WITNESS my hand this 20th day of April 2017.



Dwayne M. Harris, RMC  
Acting Municipal Clerk

DATE OF MAYOR'S APPROVAL: April 21, 2017



Rick O'Neil, Mayor