

Mayor Nolan offered the following ordinance and moved on its adoption and authorized its publication according to law:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH
O-13-35**

AN ORDINANCE AMENDING ORDINANCE O-13-27 AND SECTION 10-3 OF THE BOROUGH CODE OF THE BOROUGH OF HIGHLANDS REGULATING HOME ELEVATION CONTRACTORS WITHIN THE BOROUGH

WHEREAS, at its meeting on November 6, 2013, the Borough adopted Ordinance O-13-27 which, among other things, required use of a unified jacking system to raise homes; and

WHEREAS, the Borough find that requiring a unified jacking system severely limits residents options for raising their homes; and

WHEREAS, the Borough nonetheless reaffirms that several sections of O-13-27 remain essential to the health, safety and welfare of the residents of the Borough.

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

SECTION ONE: That portion of Section One of O-13-27 defining “unified jacking machine,” codified in Borough Code Section 10-3.1, “Definitions,” shall be amended to delete the definition of “unified jacking machine.”

SECTION TWO: That portion of Section Two of O-13-27 requiring use of a unified jacking machine, codified as Borough Code Section 10-3.8(c), shall be deleted and the remaining paragraphs relettered accordingly.

SECTION THREE: 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 FOUR: REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

Seconded by Ms. Kane and adopted on the following roll call vote:

ROLL CALL:

AYES: Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: None

ABSTAIN: None

DATE: December 18, 2013

Carolyn Cummins, Borough Clerk

Introduction: December 4, 2013

Publication: December 7, 2013, Asbury Park Press

P.H./Adoption: December 18, 2013

Publication: