

Mayor Nolan offered the following Ordinance pass final reading and moved on its adoption and authorized its publication according to law:

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH  
ORDINANCE NO. O-14-4**

**AN ORDINANCE AMENDING § 21-124.5 “ENCLOSURE OPENINGS” OF THE  
BOROUGH CODE TO REMOVE THE REQUIREMENT THAT THERE MUST BE  
ONE OPENING WITHIN THREE (3) FEET OF ANY BUILDING CORNER**

**WHEREAS**, N.J.S.A. 40:48-1, et seq. authorizes local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

**WHEREAS**, the changes contained in this ordinance have been recommended by the Zoning Officer and Borough Engineer; and

**WHEREAS**, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 21-124.5 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:

**NOTE:** 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.

**Section 1.** Chapter 21, Section 124.5, “Enclosure Openings” shall be amended as follows:

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for the parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade ~~**and there must be one (1) opening within three (3) feet of any building corner.**~~ Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters. (Ord. No. 0-09-30 § 21-124.5)

**Section 2. 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 3. REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4. EFFECTIVE DATE.** This Ordinance shall take effect after final passage as provided by law.

Seconded by Ms. Ryan 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:** March 19, 2014

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**Carolyn Cummins, Borough Clerk**

**I hereby certify this to be a true copy of Ordinance O-04-4 adopted by the Governing Body of the Borough of Highlands on March 19, 2014.**

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**Borough Clerk/Deputy Clerk**