

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 126-8
"REGULATIONS" AND SECTION 126-14 "LOCATION" OF CHAPTER 126
OF THE BOROUGH CODE, "BOATS AND BOATING", TO AMEND AND
REVISE THE REGULATIONS GOVERNING THE STORAGE OF BOATS**

WHEREAS, Chapter 126, "Boats and Boating", Article II "Storage of Boats", sets forth the regulations within the Borough of Spring Lake regarding the storage of boats on Borough property; and

WHEREAS, the Mayor and Council, have determined that it is in the best interests of the health, safety and welfare of the residents of the Borough to amend and revise those regulations;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey as follows:

Section 1:

Section 126-8 of the Borough Code is hereby repealed and replaced in its entirety with the following:

§ 126-8. Regulations

Prior to anyone storing a boat at any of the three bodies of water mentioned herein, the owner shall comply with the following regulations:

- A. Applications shall be taken on a first-come-first-served basis, after March 1 of each year. An application for registration must be filled out with the Borough Clerk and a decal obtained which shall be placed on the boat.
- B. In the case of a rowboat, the decal shall be placed on the stern portion of the boat, and in the case of a canoe, the decal shall be placed on the starboard aft side of the canoe.
- C. The fee for storing the boat per season shall be \$30 for residents of Spring Lake and \$75 for nonresidents payable in advance to the Borough Clerk with the filing of the registration form.
- D. All boats shall be removed on or before October 31 of each year. Any boat remaining after said date shall be removed by the Borough employees and shall be stored at a charge to the registrant of \$100 for the removal and \$100 per month, pro-rated

daily, which sum must be paid prior to return of the boat to the registrant and the issuance of a permit for any future year.

- E. Borough employees, whenever they remove the abandoned boats, shall provide the Borough Clerk with a list of the decal numbers of the boats removed. Notice of failure to remove the boat from the Borough lakes shall be sent by the Borough Clerk to the registrant by mail directed to the address of the registrant as it appears on the application. If the boat is not repossessed by the registrant in accordance with the requirements of Subsection D for a period of three months, then the boat will be deemed abandoned and sold at public sale. Any sums derived from such sale will, after deduction of storage charges and expenses of sale, be remitted to the registrant.
- F. Any boat stored at the lakes shall be located in the designated docking area(s) and secured utilizing cable or chain with padlock or combination lock. Any boat located other than in the designated areas shall be removed by the Borough and the owner will be subject to the provisions of sections E. and F. above governing the fees for recovery and storage and the abandonment and sale of such boat.
- G. The Borough has the right to remove any chain, cable or lock in case of an emergency. If the Borough is required to remove said device, in the event of an emergency, it shall replace the cable, chain or lock. If a chain, cable or lock is required to be cut in order to remove the boat by the Borough employees after October 31 of each year, there shall be no obligation on the part of the Borough to replace the chain, cable or lock.

Section 2.

Section 126-14 of the Borough Code is hereby repealed and replaced in its entirety with the following:

§ 126-14. Location.

- A. The Borough will designate authorized boat storage locations at Spring Lake, Wreck Pond and Como Lake, which locations shall be provided with each license issued pursuant hereto and which shall be identified by appropriate signage.
- B. During the authorized boat season, boats may be stored only in the designated locations.

Section 3.

All other provisions of Chapter 126 not amended or replaced herein remain in full force and effect.

Section 4.

If any 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 section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

Section 5.


Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

Section 6.

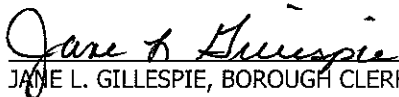
This Ordinance shall take effect on upon passage and publication in accordance with applicable law.

INTRODUCED: April 8, 2008

ADOPTED: April 29, 2008

APPROVED: 
JENNIFER NAUGHTON, Mayor

Attest:


JANE L. GILLESPIE, BOROUGH CLERK