

## ORDINANCE 675-23

### AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY REPEALING AND REPLACING ORDINANCE NO. 671-23 ENTITLED "AN ORDINANCE ESTABLISHING BEACH, BOARDWALK, PIER AND BATHING REGULATIONS"

WHEREAS, the Borough of Ocean Gate has found and determined a need to establish and update beach, boardwalk, pier and bathing regulations originally established by Ordinance No. 671-23, which is hereby repealed and replaced as follows:

#### SECTION I

Badges are required for all individuals over 12 years old for use of the beach, pavilions and piers between June 15<sup>th</sup> and Labor Day.

No person shall:

- a. Have a fire on beach.
- b. Possess or consume any alcoholic beverages on any beach, boardwalk, pavilion or pier.
- c. Charge electric vehicles on piers, pavilions or at any comfort station.
- d. Pursuant to N.J.S.A. 40:48-1 and 40:48-2, the smoking and/or burning of a lighted cigar, cigarette or pipe, including any handheld electronic device which vaporizes a liquid (e.g., e-cigarettes, e-cigs, electronic nicotine delivery systems, electronic non-nicotine delivery systems, personal vaporizers, PVs), or any other matter or substance which contains tobacco, marijuana, cannabis, cannabis item, or any other matter that can be smoked, is prohibited on the Boardwalk, Beach, Piers or Pavilions.
- e. No picnicking on any beach, boardwalk, pier or pavilion.

#### SECTION II

No person shall use any anchor or mooring device on any part of the beach between the boardwalk and the low water line, other than flat anchors. Each and every anchor shall be completely buried in the ground.

#### SECTION III

No person shall ride any skateboard, roller skates, roller blades, hover board, segway, scooter, gas powered vehicle or electric vehicle on the boardwalk, beach or pier at any time. Motorized equipment for persons with disabilities is exempt. Bicycles are permitted on the boardwalk from June 15<sup>th</sup> until the day after Labor Day between the hours of 6:00 am and 10:00 am. Bicycles are allowed on the boardwalk at any time from the day after Labor Day until June 14<sup>th</sup>.

#### SECTION IV

No person shall have, take, permit or allow any dog or other domestic pet, either on or off the leash, on any boardwalk, beach, pier or in the water of the Toms River which is adjacent to any boardwalk, beach or pier at any time of the year.

#### SECTION V

No person shall engage in the playing of ball, either soft ball, hard ball or football, the throwing of stones or other hard objects on any boardwalk, beach or pier.

**SECTION VI**

No person shall do anything on the beach, boardwalk or pier which is annoying, objectionable or dangerous to any other person.

**SECTION VII**

No person shall, permit or allow any boat or personal watercraft;

- a. On the beach between the boardwalk and the low water mark of the Toms River in the area of this Borough from Ocean Gate Avenue to the easterly side of Asbury Avenue.
- b. On the beach between the boardwalk and the low water mark of the Toms River, in the area of this Borough from the Wildwood Avenue Pier to the easterly side of Stone Harbor Avenue.
- c. On the beach between the boardwalk and the low water mark of the Toms River in the area from the Anglesea Avenue Pier eastwardly for a distance of 500 feet
- d. On the beach between the boardwalk and the low water mark of the Toms River in the area of this Borough from a point fifty feet west of Monmouth Avenue to a point fifty feet east of Monmouth Avenue.
- e. On the beach between the boardwalk and the low water mark of the Toms River in the area of this Borough from the east Borough line westerly for a distance of 300 feet.

**SECTION VIII**

No person shall moor or anchor a boat in the Toms River, in the Borough of Ocean Gate, between the low water mark on the Borough's water front and:

- a. A line parallel therewith and 300 feet north thereof in any area now or hereafter designates and used for public bathing beach or beaches; or
- b. A line parallel therewith and 100 feet north thereof in any area not a public bathing beach; or
- c. For the safety of all residents and visitors to the Borough of Ocean gate, as well as for the safety of all boats used and moored in the waters within the Borough, no person shall moor or anchor a boat using submerged motors, flywheels, blocks or cement or concrete, tin cans or containers filled with concrete, or other such items as such anchor or mooring device. Safe and adequate mooring, such as, mushroom anchors, wishbone, stockless, plow, porter, northill or light-weight type anchors may be used.

**SECTION XIX**

No person shall engage in crabbing or fishing on either the Wildwood Avenue pier or the Anglesea Avenue Pier other than between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 5:00 p.m. and 11:00 p.m.

**SECTION X**

No person shall, at any time, tie a boat up or otherwise fasten a boat to the easterly sideline of either the Wildwood Avenue pier or the Anglesea Avenue pier.

**SECTION XI**

No person shall robe or disrobe in any car, truck, van or public place in the Borough. This section shall not apply to outer clothing or to children under the age of five years.

**SECTION XII**

All items (beach chairs, towels, umbrellas, floats etc.), except properly registered boats, shall be removed from the beach no later than midnight of each day.

**SECTION XIII**

No person shall race or drive a boat at any excessive and unreasonable speed within 300 feet of the beach or within 100 feet of the public piers.

**SECTION XIV**

No person shall engage in aquaplaning or water skiing within 300 feet of the beach or within 100 feet of the public piers.

**SECTION XV**

All littering of any nature or kind by any person, firm or corporation upon any portions of the beaches, boardwalk, piers, bathing areas and municipal parking lots located in the beach areas of the Borough is prohibited.

**SECTION XVI**

Any person convicted of a violation of any of the provisions of this ordinance shall, upon conviction, be subject to a penalty of a fine not exceeding \$200.00, at the discretion of the Magistrate before whom such conviction is had

**SECTION XVII**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION XVIII**

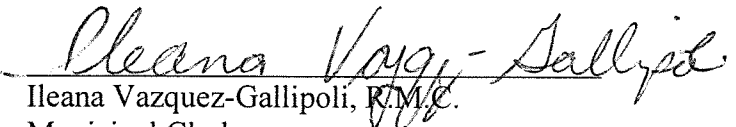
This ordinance shall take effect immediately upon its final adoption, approval and publication as required by law.

**NOTICE**

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced and passed on first reading at a Council Meeting of the Borough Council of the Borough of Ocean Gate, in the County of Ocean held on May 10, 2023 and will come on second reading, public hearing and final passage at a Council Meeting of the Ocean Gate Borough Council to be held on May 24, 2023 at the Municipal Complex, 801 Ocean Gate Avenue, Ocean Gate, New Jersey at 7:00 p.m., or as soon thereafter as the matter can be reached, at which last mentioned date, hour and place any person desiring to be heard for or against the adoption of the within Ordinance will be given a chance to be so heard.

INTRODUCED: 5/10/23

ADOPTED: 5/24/23

  
Ileana Vazquez-Gallipoli, R.M.C.  
Municipal Clerk