

ORDINANCE NO. 02– 2023

**AN ORDINANCE AMENDING CHAPTER 111 CONSTRUCTION, GENERAL
REQUIREMENTS OF THE CODE OF THE CITY OF MARGATE CITY,
COUNTY OF ATLANTIC AND STATE OF NEW JERSEY**

NOW THEREFORE BE IT ORDAINED by the Commissioners of the City of Margate,
County of Atlantic and State of New Jersey as follows:

ARTICLE II – Municipal Permits

SECTION 1.

§ 111-8. Municipal Permits – when required

It shall be unlawful to install, enlarge, repair, alter, or reinstall fences, driveways, pavers, concrete, or storage sheds, or portion thereof, or to install, enlarge, or alter a bulkhead without first filing an application with the Building Department and appropriate officials in writing and obtaining the required permits therefor.

§ 111-9. Definitions and Standards as used in this Chapter.

1. Bulkhead – A structure separating land and water areas, primarily designed to prevent erosion and other damage due to wave, storm, overflow or tidal action.
2. Driveway – A paved or partially paved area used for ingress or egress of vehicles and allowing access from a street to a lot, building or other structure or facility.
3. Enclosure, Shower – A fence structure serving as an enclosure for an outdoor shower, at ground or slightly below ground level, and adjacent to a building.
4. Fence – A structure made of posts or stakes, joined together by boards, wire or rails, serving as an enclosure, a barrier or as a boundary.
5. Municipal Permit – A certificate issued to perform work under this section.
6. Pavers – Performed paving blocks that are installed on the ground to form patterns while at the same time facilitating pedestrian or vehicular travel.
7. Storage Shed – An accessory building used for the storage of items such as, but not limited to, tools, lawn and garden equipment and furniture and similar items of personal property belonging to the occupant of the principal structure.
8. Zoning Permit – A document signed by the Zoning Officer:
 - a) Which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building.
 - b) Which acknowledges that such use, structure or building complies with the provision of the municipal Zoning Ordinance or variance therefrom duly authorized by the appropriate agency of the City pursuant to N.J.S.A. 40:55D-60 and 40:55D-70.

§ 111-10. Municipal Permits – procedure

- a. Conditions of permit: The issuance of the municipal permit shall be conditioned upon the following:
 - 1. The payment of appropriate fees; and
 - 2. The work will conform to the requirements of the code applicable to the work for which the permit has been issued including prior zoning approval and any approved amendments thereto.
- b. Posting of permit: A true copy of the municipal permit notice shall be kept on the site of operations open to inspection during the entire time of prosecution of the work and until the completion of the same.
- c. Suspension of permit: Any municipal permit issued shall become invalid if the authorized work is not commenced within 12 months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.
- d. Revocation of permits: The construction official or zoning officer may revoke a municipal permit or approval issued under the provisions of this code if the applicant has submitted any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

§ 111-11. Schedule of fees.

Municipal permit fees shall be as follows:

Scope of work	Fee
Fence	\$64.00
Enclosure, Shower	\$64.00
Driveway	\$25.00 per \$1,000 of estimated cost.
Pavers	\$25.00 per \$1,000 of estimated cost.
Concrete	\$25.00 per \$1,000 of estimated cost.
Shed	\$25.00 per \$1,000 of estimated cost.
Bulkhead	\$25.00 per \$1,000 of estimated cost.

§ 111-11.1. Waiver of municipal permit fees for work promoting accessibility by disabled persons.

No person shall be charged a municipal permit fee for any construction, reconstruction, alteration, alteration or improvement designed and undertaken solely to promote accessibility by disabled permits to an existing public or private structure.

§ 111-11.2. Waiver of municipal permit fees for charitable organizations.

Municipal permit fees shall be waived for all charitable organizations recognized under I.R.C. § 501(c)(3).

§ 111-12. Violations and penalties.

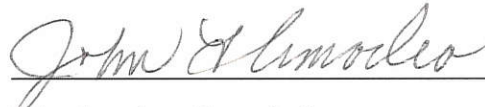
- a. Any person who shall violate any of the provisions of this section or fail to comply therewith, or with any of the requirements thereof, or who shall refuse reasonable opportunity to inspect any premises, shall be liable for a fine of not more than \$1,000 or to imprisonment for not more than 90 days, or both such fine and imprisonment. Each and every day such violation continues shall be deemed a separate and distinct violation.
- b. Nothing in this article shall be construed to limit the City of Margate's right to institute and maintain a civil action, from seeking active injunctive relief, or to set aside or invalidate any consequence made pursuant to a contract of sale.

SECTION 2. All ordinances or parts of ordinances inconsistent with any terms of this Ordinance are hereby repealed to the extent of such inconsistency only.


SECTION 3. This ordinance shall take effect upon its final passage and publication as required by law.



Michael Becker, Mayor



John Amodeo, Commissioner



Maury Blumberg, Commissioner

Board of Commissioners of the City of
Margate City, NJ

Introduction: January 5, 2023

Advertisement: January 11, 2023

Enactment: January 19, 2023

Advertisement: January 23, 2023