

ORDINANCE #1008

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING FORTH POLICY AND REGULATIONS FOR THE BLACKBERRY BAY PARK LAUNCH FACILITIES

WHEREAS, there is a need to set forth additional policy and regulations regarding the Blackberry Bay Park Boat Launch facilities;

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the following be added to Chapter 279 Parks and Recreation as follows:

I. BLACKBERRY BAY PARK LAUNCH FACILITIES

Section One: LAUNCH FEE ESTABLISHED.

No person shall launch a watercraft from the Blackberry Bay Park boat launching facility without paying the launch fee established in this Section. If a motor vehicle and empty trailer related to that watercraft is parked in the parking lot related to the launching of a single boat, each vehicle shall be construed as having launched such boat and each such vehicle shall be subject to pay the daily launch fee or obtain a seasonal permit. Except as otherwise provided by resolution of the Governing Body, fees for use of the launching facilities are contained within the Borough of Oceanport Fee Ordinance, Chapter 204.

Section Two: PAYMENT OF LAUNCH FEE.

Each holder of a daily or seasonal launching pass shall display the pass in a visible location on the dashboard of the motor vehicle used to launch the watercraft. Application for a daily or seasonal permit shall be made on a form provided by the Borough Clerk's Office. Every person that launches on a single day shall utilize the permit issued by the Borough Clerk and shall post in a visible location on the dashboard of the motor vehicle used to launch the boat. The parking of a motor vehicle with an empty trailer in the parking lot of Blackberry Bay Park without a visible seasonal permit or valid one day permit on the motor vehicle's dashboard will be conclusive evidence of a failure to comply with Section One.

Section Three: COMMERCIAL USE.

Commercial use of the Blackberry Bay Park Launch Facilities is prohibited.

Section Four: FEE EXEMPTION

Application for use of the launch facilities by outside governmental agencies shall be exempt from the fee at the discretion of the Borough Clerk.

Section Five: CITATION ENFORCEMENT

The Borough of Oceanport hereby adopts and authorizes the use of a citation to be issued for violations of this ordinance, including ordinances for which a statutory counterpart exists. Citations authorized under this ordinance may be issued by the Code Enforcement Officer, Police Department or and/or by any other officer of the Borough. Nothing herein shall be construed to prohibit the Borough from enforcing this ordinance by any other lawful means.

II. SEVERABILITY.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Borough Council would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

III. EFFECTIVE DATE.

This ordinance shall become effective upon passage and publication in accordance with law.

APPROVED ON FIRST READING

DATED: September 19, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 17, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II

Mayor