

**ORDINANCE NO. 2021-13**

**AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE SO AS TO CREATE CHAPTER 250, ENTITLED “OUTDOOR SPECIAL EVENTS, PRIVATE PROPERTY”**

**BE IT ORDAINED** by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Municipal Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to create a new Chapter 250, entitled “Outdoor Special Events, Commercial” as follows:

**Chapter 250**

**Outdoor Special Events, Private Property**

**§ 250-1 Permanent outdoor events.** Permanent outdoor events at commercial businesses who hold a valid mercantile business license pursuant to the requirements of Chapter 217 herein are not permitted in any zone except in accordance with a site plan approval granted by the approving authority or as allowed by other applicable law.

**§ 250-2 Temporary outdoor events.**

- a. Temporary outdoor events may be permitted at commercial businesses who hold a valid mercantile business license pursuant to the requirements of Chapter 217.
- b. The holder of the mercantile licenses shall file an application with the Zoning Officer, together with an application fee of \$100, on forms provided by the Zoning Officer. All requests for the temporary outdoor events shall apply for a zoning permit.

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- c. Filing period. An application for an outdoor event permit shall be filed with the Zoning Officer not less than 30 days before the date on which it is proposed to conduct the outdoor event.
- d. In addition to the payment of the applicable fee, the applicant shall provide:
  - 1. A sketch plat depicting the location and size of the event,
  - 2. The location of any temporary structures or goods to be displayed,
  - 3. A description of the purpose of the proposed event and the estimated number of persons participating and/or attending.
  - 4. The start date and duration of the event. No events may occur after 9:00 p.m. or before 9:00 a.m.
  - 5. A letter of authorization from the owner of the property approving the event.
  - 6. A plan for the collection and removal of trash and refuse.
  - 7. A plan as to compliance with any and all County Board of Health requirements as to the sale of food and/or beverages, as well as any additional requirements pursuant to the Township Code.
  - 8. The names of all vendors that the applicant intends to use at the outdoor event.
  - 9. Whether the applicant intends to hire off-duty police officers in accordance with Section 93-13 of the Township Code.

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10. Any other requirements deemed necessary for public health and safety as determined by the Township Administrator, upon conferring with the Chief of Police.

- e. Each business with a mercantile license in the Township shall be limited to four (4) outdoor events per calendar year on the property associated with the business. The second permitted event shall not commence within 30 days from the termination of the first permitted event.
- f. All proposals for tents require approval by the Bureau of Fire Prevention as well as the Zoning Officer. Tents exceeding 900 square feet or 30 feet in any dimension require approval under the Uniform Construction Code.
- g. No temporary outdoor event shall be located within any designated fire lane.
- h. All temporary outdoor events shall not be located closer than the required front parking setback line or 25 feet from any street right-of-way line, whichever is greater, and shall not be located within 15 feet from any side or rear property line, or other distance deemed appropriate for the particular site, as determined by the Zoning Officer.

**§ 250-3 Appeal**

The applicant may appeal the denial of any requested permit to the Zoning Board

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of Adjustment in accordance with N.J.S.A. 40:55D-70(a). Proposals for a temporary outdoor event that exceed or otherwise are inconsistent with the time limits set forth herein shall require Planning Board approval.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 10<sup>th</sup> day of June, **2021**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 8<sup>th</sup> day of July, **2021**, at 7:00 p.m., at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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**SUSAN M. FARRELL, RMC, Deputy Clerk**  
Township of Little Egg Harbor

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**June 10, 2021**

**Motion to Introduce: Crea**

**Second: Gormley**

Stevens: absent      Crea: yes      Gormley: yes      Scibetta: yes      Kehm: yes

**July 8, 2021**

**Motion to Adopt:**

**Second:**

Stevens: \_\_\_\_\_ Crea: \_\_\_\_\_ Gormley: \_\_\_\_\_ Scibetta: \_\_\_\_\_ Kehm: \_\_\_\_\_

MSA