

ORDINANCE NO. 529

**AN ORDINANCE AMENDING ORDINANCE NO. 465,
THE LAND USE ORDINANCE OF THE BOROUGH OF
MANTOLOKING, OCEAN COUNTY, NEW JERSEY, AND PROVIDING
“GRANDFATHER” STATUS FOR CERTAIN IMPROVEMENTS**

BE IT ORDAINED by the Borough Council of the Borough of Mantoloking, in the County of Ocean, State of New Jersey, as follows:

SECTION ONE: Article VII, Section 8, Grandfather Provisions, of Ordinance 465, shall be amended by the addition of the following, which shall be designated Section 8.2.1, Improvements:

Improvements existing as of the adoption of this Ordinance which are now sited to legally accommodate the superior regulatory requirements of CAFRA may, in the event of involuntary total destruction, be reconstructed in the same location upon the lot and shall be conforming structures without regard to whether or not such improvements existing (and as reconstructed) differ from the street rear yard setback requirements of this Ordinance and without the necessity for relief by way of variance, if, as of the commencement of reconstruction, the topographical conditions upon the lot and the CAFRA requirements which necessitated the location of the initial improvements remain in effect. Any such reconstruction shall, in all other respects, comply with the zone standards established herein.

SECTION TWO: This Ordinance shall become effective upon its final passage and publication as required by law.

SECTION THREE: All other provisions of Ordinance 465, 470, 472 and 527, not modified by this Ordinance shall remain in full force and effect.

SECTION FOUR: If any provision of this Ordinance shall be adjudicated to be illegal or unenforceable, all of the remainder hereof, not so adjudicated, shall

remain in full force and effect. This Ordinance shall be construed to give full effect to the provisions hereof. In the event of conflict, the provisions of this Ordinance shall prevail.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Council for the Borough of Mantoloking, in the County of Ocean and State of New Jersey, held on October 16, 2006, and said Ordinance will be considered for final passage at the Borough Hall, Downer Avenue, Mantoloking, New Jersey, at 8:00 p.m. on November 20, 2006, or as soon thereafter as said matter may be reached, at which time and place all persons interested will be given an opportunity to be heard.

Irene H. Ryan, R. M. C.