

**ORDINANCE #2024-09**

**ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XIX OF THE BOROUGH CODE OF THE BOROUGH OF SURF CITY ENTITLED “PARKS, BEACHES AND RECREATIONAL AREAS” SO AS TO REVISE THE PERMITTED USE OF FACILITIES AT THE RICHARD A. ZACHARIAE RECREATIONAL AREA, DIVISION AVENUE.**

**BE IT ORDAINED** by the governing body of the Borough of Surf City, County of Ocean, and State of New Jersey as follows:

**SECTION I.** Subsection 19-6.1 of the Borough Code of the Borough of Surf City entitled “Permitted Use of Facilities” is hereby amended and supplemented to revise Paragraph a. to read as follows:

- a. The tennis/pickleball courts are to be used solely for the playing of tennis or pickleball by persons wearing rubber soled shoes. No other sport, recreation or use shall be permitted.

**SECTION 2.** Subsection 19-6.1 of the Borough Code of the Borough of Surf City entitled “Permitted Use of Facilities” is hereby amended and supplemented to add Paragraph d. which shall read as follows:

- d. The use of facilities, including but not limited to, tennis courts, pickleball courts, and basketball courts shall be in accordance with rules and regulations adopted by Resolution of the Borough Council.

**DASTI, McGUICKIN,  
McNICHOLS, CONNORS,  
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 WEST SURF CITY ROAD  
FORKED RIVER, N.J. 08731

**SECTION 3.** If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

**SECTION 4.** All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

**SECTION 5.** No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

**SECTION 5.** This ordinance shall take effect after public reading and publication as required by law.

### **NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Borough Council of Surf City Borough on first reading at a meeting held on the 8<sup>th</sup> day of May, 2024. The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the 12<sup>th</sup> day of June, 2024 at 7:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

**DASTI, McGUCKIN,  
McNICHOLS, CONNORS,  
ANTHONY & BUCKLEY**

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**CHRISTINE HANNEMANN,**  
Clerk/Administrator  
Borough of Surf City

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The Borough of Surf City introduced the above ordinance at its \_\_\_\_\_, 2024 meeting. The Ordinance is amending and supplementing Chapter XIX of the Borough Code of the Borough of Surf City entitled “Parks, Beaches and Recreational Areas” so as to revise the permitted use of facilities at the Richard A. Zachariae Recreational Area, Division Avenue. The Ordinance will be considered on second and final reading at the \_\_\_\_\_, 2024 meeting of the governing body. All meetings are held at the Municipal Building located at 813 Long Beach Boulevard, Surf City, New Jersey, commencing at 7:00 p.m. Copies of all Ordinances are available at no cost at the Municipal Clerk’s Office located at 813 Long Beach Boulevard, Surf City, New Jersey, Monday through Friday from 9:00 a.m. to 4:30 p.m.

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**CHRISTINE HANNEMANN,**  
Borough Clerk/Administrator  
Borough of Surf City

**DASTI, McGUCKIN,  
McNICHOLS, CONNORS,  
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