

**BOROUGH OF SURF CITY**

**COUNTY OF OCEAN**

**PUBLIC NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Surf City, County of Ocean, State of New Jersey, on Wednesday, February 18, 2026, at 5:00 PM at 813 Long Beach Boulevard, Surf City, New Jersey.

Further notice is given that said Ordinance will be considered for final passage and adoption after a public hearing, to be held at a regular meeting of the Mayor and Council on Wednesday, March 11, 2026, at 5:00 P.M. in the Municipal Building, 813 Long Beach Blvd., Surf City, New Jersey, at which time and place, any person desiring to be heard upon the same will be given the opportunity to be so heard. Full copies of this ordinance are available for public inspection in the office of the Municipal Clerk during regular business hours and at [www.surfcitynj.org/publicnotice](http://www.surfcitynj.org/publicnotice)

**ORDINANCE NO. 2026-09**

**AN ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, INCORPORATING THE UNIFORM HOUSING  
AFFORDABILITY CONTROLS OF THE STATE OF NEW JERSEY**

**WHEREAS**, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., requires municipalities to provide a realistic opportunity for the creation of affordable housing to meet their fair share obligations; and

**WHEREAS**, in furtherance of the Fair Housing Act and the *Mt. Laurel* doctrine, the New Jersey Housing and Mortgage Agency (the “Agency”) has issued and adopted through regulation the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq, as amended and supplemented to date and as may be amended and supplemented in the future (“UHAC”); and

**WHEREAS**, the Borough of Surf City (the “Borough”) has adopted a Housing Element and Fair Share Plan and seeks to ensure compliance with its affordable housing obligations; and

**WHEREAS**, the Borough Council finds it necessary and appropriate to assure that affordable housing created pursuant to the Housing Element and Fair Share Plan remains conforming with UHAC, including the affirmative marketing and long-term management of such housing.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Surf City, County of Ocean, State of New Jersey, a majority of the full authorized membership thereof affirmatively concurring, that:

## **SECTION 1. Purpose and Authority**

This ordinance expressly requires compliance through the municipal code with the requirements and obligations of the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., as may be amended.

## **SECTION 2. Applicability**

This ordinance shall apply to all affordable housing units regulated by UHAC, consistent with the applicability scope set forth therein.

## **SECTION 3. Plan of Compliance**

Any application for development which results in or proposes the creation of affordable housing units shall include a proposed method of compliance for such a development's generated RDP at a presumptive set-aside of 20% of the proposed development, which mechanism shall be consistent with UHAC in effect as of the date of the application for development. A copy of any such compliance statement shall be held on file with the Township's affordable housing agent or administrator, as identified and approved according to UHAC, and satisfaction of such a method of compliance shall be a condition precedent to the final certificate of occupancy issued by the Borough for any such development, should such a development be approved by the applicable municipal board.

## **SECTION 4. Severability**

If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, such invalidity shall not affect the remaining portions of this ordinance.

## **SECTION 5. Effective Date**

This ordinance shall take effect upon final passage and publication, as required by law.