

NOTICE OF INTRODUCTION AND FIRST READING

BOROUGH OF AVALON
CAPE MAY COUNTY
NEW JERSEY

ORDINANCE NO. 873-2024

AN ORDINANCE AMENDING ORDINANCE 809-2020 ESTABLISHING A PROCEDURE FOR PROPERTY OWNERS TO OBTAIN A RELEASE AND DISCHARGE OF CERTAIN DEED RESTRICTIONS IMPOSED BY THE BOROUGH OF AVALON IN CERTAIN DEEDS OF CONVEYANCES EXECUTED AND DELIVERED BY THE BOROUGH OF AVALON PRIOR TO 1979

This Ordinance amends Ordinance 809-2020 and Chapter 28 (Property Restrictions) as follows:

Section 1: Amends Chapter 28 of the Borough Code, Sections 28-1. (FACTUAL FINDINGS AND DETERMINATIONS; STATEMENT OF POLICY), 28-2. (DEED RESTRICTIONS SUBJECT TO RELEASE AND DISCHARGE, PROCEDURE FOR RELEASE OF CERTAIN DEED RESTRICTIONS), 28-4. (MISCELLANEOUS), and 28-5 (PUBLIC HEARING) which establishes that all previously imposed deed restrictions pertaining to height of structure, first floor area, and minimum lot size are unnecessary, and shall be discharged or released through a quit claim deed reviewed and approved by the Borough Solicitor and executed by the Mayor and Borough Clerk, and recorded with the County of Cape May.

This Ordinance further establishes an application process and administrative policy for the release of said deed restrictions and schedules a global public hearing, to be set by Resolution of Borough Council in accordance with NJSA 40:60-51.2 to give those interested in the release of such restrictions an opportunity to be heard.

Sections 2 & 3: Provides that all inconsistent ordinances are repealed and that the provisions are severable.

Section 4: The Ordinance will take effect immediately following adoption.

This Ordinance was introduced and passed on first reading on January 24, 2024 and will be further considered for second reading, public hearing and final adoption on February 28, 2024 at the Municipal Building, 3100 Dune Drive, Avalon, NJ 08202 at 4:00 p.m.

A copy of the Ordinance is available at no charge from the Borough Clerk's Office, Borough of Avalon, 3100 Dune Drive, Avalon, NJ 08202 between the hours of 8:15 a.m. and 4:15 p.m., Monday through Friday, excluding holidays.

C. DANIELLE NOLLETT
Borough Clerk

Publication date: January 31, 2024