

**BOROUGH OF MANASQUAN
ORDINANCE NO 2419-24**

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 12 (BEACHES AND BEACHFRONT) SECTION
12-4.28 (RESTRICTIONS ON THE USE AND ERECTION
OF UMBRELLAS, TENTS AND CANOPIES) OF THE
BOROUGH OF MANASQUAN CODE IN THE BOROUGH
OF MANASQUAN, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY.**

WHEREAS, pursuant to the Revised General Ordinance of the Borough of Manasquan Code Chapter 12, Section 12-4.28 refers to Restrictions on the Use and Erection of Umbrellas, Tents and Canopies; and,

WHEREAS, the Borough of Manasquan is desirous of amending Section 12-4.28 Restrictions on the Use and Erection of Umbrellas, Tents and Canopies to enhance safety and welfare; and

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

Section 1: Chapter 12 Section 12-4.28 is hereby amended to read as follows:

12-4.28 Restrictions on the Use and Erection of Umbrellas, Tents and Canopies

- (a) No person shall erect, maintain, use or occupy on or in any beach or bathing area any umbrella, tent, canopy, shelter or structure of any kind with the exception of the following:
 - 1. Umbrellas with one central stanchion to support shade whether upright or at a ninety-degree position that is a collapsible shade no greater than eight feet in diameter or radiating from its center pole greater than seven feet six inches in height and does not contain staked grounding lines, staked ropes or sides.
 - 2. Devices designed or used to shade infants and small children, also known as "baby tents," no larger than 50 inches high by 50 inches wide by 50 inches deep.
- (b) Umbrellas and baby tents anchoring lines, tethers, or the like shall not extend beyond the perimeter of the umbrella or baby tent.
- (c) No person shall locate an umbrella or baby tent in an area obscuring a lifeguard's view of the ocean or in an area impeding a lifeguard's egress from a lifeguard stand, as determined by a lifeguard.
- (d) All other umbrellas, tents, canopies or structures are strictly prohibited except when a Use of Borough Property application has been filed with the Clerk of the Borough of Manasquan and approved.

Section 2: Construction and Effective Dates

- (a) Should any section or provision of this ordinance be held invalid in any proceedings, the same shall not affect any other section or provision of this ordinance, except insofar as the section or provision so held invalid shall be inseparable from the remainder of any such section or provision.
- (b) Chapter 97, et. seq., of the Borough of Manasquan Code and all ordinances and parts of ordinances inconsistent with this Ordinance herewith are hereby repealed.
- (c) This Ordinance shall become effective following the final passage and publication according to the law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2419-24 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan on the 18th day of March 2024, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 7:00 p.m. on the 1st day of April 2024. At such time and place, or at any such time or place to which said meeting may be adjourned, all interested persons will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

Barbara Ilaria, RMC, CMC
Municipal Clerk

Mark G. Kitrick, Esquire
Municipal Attorney
2329 Route 34 S
Suite 104
Manasquan, NJ 08736

Passed on First Reading and Introduction: March 18, 2024
Approved on Second Reading and Final Hearing: April 1, 2024

Michael W. Mangan
Mayor