

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1691 (2022)

**AN ORDINANCE TO AMEND THE REVISED GENERAL
ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 21-4 ENTITLED
“PROTECTION OF DUNES” AND CHAPTER 26-35 ENTITLED “DUNE
PROTECTION” TO ADOPT A CITY WIDE DUNE LINE AS ESTABLISH BY
PROJECT DESIGNED BY THE PHILADELPHIA
DISTRICT OF THE U.S. ARMY CORPS OF ENGINEERS**

WHEREAS, the Council of the City of Sea Isle City continues to review and update its ordinances; and

WHEREAS, the City has an interest in ensuring that the beach, dunes, and dune area is protected; and

WHEREAS, the Philadelphia District of the U.S. Army Corps of Engineers designed and completed a beachfill project along the entire length of the City’s beach; and

WHEREAS, as a result of said project entitled “Great Egg Harbor Inlet to Townsends Inlet Ocean City, Upper Township, Sea Isle City Cape May County, New Jersey IFB# W912BU-14-0011” issued 8/13/2014 a City wide engineered dune was developed; and

WHEREAS, the City will adopt the line of this project’s Contractor’s Work Limit as its Dune Line for the entire length of the City beach front without consideration for street ends; and

WHEREAS, the City has found this ordinance to be in the best interest of the health, safety, and welfare of the citizens and visitors of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

SECTION I. Chapter 21 Section 4.3 of the Revised General Ordinances of the City of Sea Isle City, entitled “Map” is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

21-4.3. Map

The City will in the future adopt the "Sea Isle City Beach Dune Area Map Showing the Dune Line" to be prepared by Andrew A. Previti, P.E., which map, upon completion and adoption, will replace the dune line determination required under this section. Upon adoption by the Governing Body the "Sea Isle City Beach Dune Area Map Showing the Dune Line" shall be incorporated by reference into this section. True copies of the map shall be filed with the City Clerk, the Planning Board, the Environmental Commission, the Clerk of the County of Cape May and the Planning Board of the County of Cape May.

REPLACEMENT SECTION:

21-4.3. Adoption of Beach Front Dune Line Map

The City Dune Line shall be the western line of the Contractor’s Work Limit without consideration for street ends as shown on the map(s) designed by the Philadelphia District of the U.S. Army Corps of Engineers for the project “Great Egg Harbor Inlet to Townsends Inlet Ocean City, Upper Township, Sea Isle City Cape May County, New Jersey IFB# W912BU-14-0011” issued 8/13/2014.

The City recognizes areas west of the Contractor’s Work Limit may be dune under a state and/or federal definition and the public is advised to check with all authorities before any work on an area covered by sand near the City Dune Line.

SECTION II. Chapter 21 Section 4.5 of the Revised General Ordinances of the City of Sea Isle City, entitled “Regulations” letter “h” is hereby amended to delete the following section in its entirety and not be replaced. The lettering in this section shall be updated as appropriate as a result of this change.

**DELETED SECTION:
21-4.5. Regulations**

h. Until the adoption of the map referred to in subsection **21-4.3** hereof, all construction in the beachfront area will require the owner to submit an application with survey for a dune line determination. The determination will be performed by the City Engineer in consultation with the Environmental Commission. This dune line determination is to be performed at the owner's expense, the cost of which is \$425 Any additional fees incurred will also be the homeowner's responsibility. The property owner must erect a dune fence along the westerly limit of the dune line following the standards on file in the office of the Construction Official which shall be established by the City Engineer in consultation with the Environmental Commission. A dune line determination made under any provision of this section shall be valid until the adoption of the map referred to in subsection **21-4.3** hereof. At the time of the adoption of the map by the Governing Body, this subsection of this section shall become void.

**REPLACEMENT SECTION:
NONE. Reserved for Future Use.**

SECTION III. Chapter 26 Section 35.1 of the Revised General Ordinances of the City of Sea Isle City, entitled "Regulations" is hereby amended to delete the following section in its entirety and replace same as follows:

**DELETED SECTION:
26-35.1 Regulations.**

No structures, including but not limited to buildings, decks, porches, carports, garages, terraces and patios, and no parking spaces shall be permitted within ten (10') feet of any current dune line. Dune protection and nourishment structures are excepted.

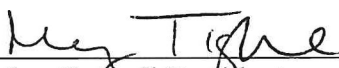
**REPLACEMENT SECTION:
26-35.1 Regulations.**

No structures, including but not limited to buildings, decks, porches, carports, garages, terraces and patios, and no parking spaces shall be permitted within six (6) feet of any current dune line as identified in Chapter 21 Section 4.3. Dune protection and nourishment structures are excepted.

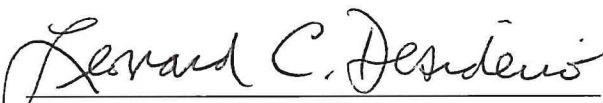
SECTION IV. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION V. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION VI. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.



Mary Tighe, Council President



Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 11th day of October, 2022 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 22nd day of November, 2022, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 am.



Shannon D. Romano, Municipal Clerk