
Borough of Bay Head

Municipal Public Access Plan

Submitted by: Borough of Bay Head

Date of Current Submittal: May 2020

**Approved by the New Jersey Department of Environmental Protection:
Date to be determined**

**Adoption by the Borough
Date will be added upon adoption**

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Approval of this plan does not eliminate the need for any Federal, State, County or municipal permits, certifications, authorizations or other approvals that may be required by the Applicant, nor shall the approval of this plan obligate the Department to issue any permits, certifications, authorizations or other approvals required for any project described in this plan.

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Introduction

The intent of this document is to provide a comprehensive public access plan for the Borough of Bay Head which lays out their vision for providing access to tidal waters and shorelines within the municipal boundary. This Municipal Public Access Plan (MPAP) was developed in accordance with N.J.A.C. 7:7-16.9 and in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and has been approved by the NJDEP. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility and potential funding opportunities for the Borough of Bay Head.

The NJDEP adopted new rules governing public access that enable municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations, plus plans to preserve and enhance access based on community needs and State standards.

The Borough of Bay Head developed this plan in collaboration with the NJDEP and Borough Planning Board, Environmental Commission, and the Bay Head Improvement Association (a private organization) and was presented to the public at a council meeting on May 7, 2018 and was submitted for approval to the NJDEP on April 12, 2018. Upon receiving approval from the NJDEP, the MPAP will be incorporated into the Municipal Public Access Element of the Master Plan. Incorporation into the Master Plan, and final approval of this MPAP by the NJDEP, will be recognized by Public Notice in the NJDEP Bulletin. All public access decisions made within the Borough of Bay Head will be consistent with this plan.

Authority for Municipal Public Access Plans

The request to develop a MPAP is derived from the Coastal Zone Management Rules, N.J.A.C. 7:7, adopted by NJDEP on November 5, 2012. The premise of the request for a Municipal Public Access Plan is that public access to tidal waters is fundamentally linked to local conditions. Municipalities have a better awareness and are more responsive to these conditions than a broader State “one size fits all” mandated public access plan.

The voluntary development of a MPAP by the Borough of Bay Head enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. The MPAP will be incorporated into the Municipal Public Access Element of the municipality’s Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D). The MPAP, as an official component of the municipal Master Plan, identifies public access requirements associated with any proposed development or redevelopment project.

Upon approval of the MPAP by the Department and incorporation into the Master Plan, the Borough of Bay Head will be responsible for ensuring that public access to tidal waterways along the municipality’s shorelines is provided in accordance to this plan. For each new public

access project, the Borough of Bay Head will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect this and ensure that public access requirements are satisfied in accordance with this plan.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7. See Appendix 1.

Compliance with Public Access Rules

The MPAP will comply with the public access rule. The Coastal Zone Management Rules at N.J.A.C. 7:7-16.9 require public access to the waterfront, defined as the ability of the public to pass physically and visually to, from, and along tidal waterways and their shores and to use such shores, waterfronts and waters for activities such as navigation, fishing, and recreational activities including, but not limited to, swimming, sunbathing, surfing, sport diving, bird watching, walking, and boating. Public accessways and public access areas include streets, paths, trails, walkways, easements, paper streets, dune walkovers/walkways, piers and other rights-of way. The intent of this MPAP is to ensure the Borough's compliance with the Public Access Rule.

State of New Jersey Public Access Goals

Through the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7), the State of New Jersey establishes a broad set of coastal protection goals, including the following specifically addressing public access:

- Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
- Provide public access to and use of tidal waterways and their shores.
- Preserve public trust rights to tidal waterways and their shores.
- Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
- Create and enhance opportunities for public access to tidal waterways and their shores, on a non-discriminatory basis.
- Maintain all existing public access to, and along tidal waterways and their shores.
- Provide opportunities for public access to tidal waterways and their shores through new development.
- Provide public access that does not create conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

The Borough of Bayhead's Municipal Public Access Plan embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust lands in the Borough.

I. Municipal Public Access Vision

A. Overview of Municipality

1. Municipal Description

The Borough of Bay Head is located on Barnegat Island in Ocean County and is surrounded by Point Pleasant Beach, Point Pleasant Borough, Barnegat Bay, Mantoloking, and the Atlantic Ocean. Bay Head was first developed in the 1870s by the Bayhead Land Company and was incorporated as a Borough by the New Jersey Legislature in 1886. Over 550 historically significant structures exist in the 0.7 square miles of the Borough, making Bay Head one of the largest historic districts in New Jersey. In the summertime, access to Bay Head's charming historic district, quiet beaches, lakefront, and bay make Bay Head a popular summer vacation destination.

The entirety of Bay Head rests on a barrier island, being disconnected from the mainland by the Point Pleasant Canal and Bay Head Harbor/Barnegat Bay to the west. A small canal, Scow Ditch, which connects Twilight Lake and Barnegat Bay, physically bisects most of the Borough.

The Borough is further divided east and west by its main corridor, New Jersey Route 35/Main Avenue, traversing the Barrier Island between the municipal border with the Borough of Point Pleasant Beach to the north and the municipal boarder with the Borough of Mantoloking to the south, creating the "bayfront" and the "oceanfront" of the Barrier Island. County Road 632, known locally as Bridge Avenue, runs through the center of the Borough, connecting to Point Pleasant Borough to the west and Route 35 to the east. The Borough is a built-out community of medium-density, with growth potential limited to infill development and redevelopment opportunities. Commercial properties are generally concentrated in the center portion of the Borough along Bridge Avenue and Mount Street. Marine related uses are located along the Barnegat Bay waterfront.

Bay Head has taken a strong position on beach and dune protection. The Borough's Protection of Beaches and Dunes Ordinance (§75, Article II) was adopted in 1993 "to control the development or disturbance of dunes thereby furthering shore protection efforts and preserving the dunes as an important environmental resource". The Ordinance recognizes that there may be no long term defense for fixed oceanfront structures against rising sea level, but that intermediate protection against beach erosion and damage to adjacent coastal

areas is possible with a rock revetment, continuous barrier of planted dunes, and the breadth and height of beach.

2. Public Access Description

The Borough provides access to its oceanfront beaches, bayside waterways, and lakefront to the greatest extent possible. Public Access in Bay Head is provided by the municipality, in conjunction with the Bay Head Improvement Association when pertaining to the ocean and consists of a variety of access points including beach walkways, and bayfront and lake access.

The Bay Head Improvement Association is a private organization not affiliated with the Borough that owns and maintains all of the beaches in the Borough. The Borough and the BHIA entered into an Agreement in 2019 whereby the Borough assigned to the BHIA its responsibility for Beach Management and Operations under the State Aid Agreement with the NJDEP for the Beach Replenishment Project and periodic renourishments.

The beaches, during the summer season, are maintained by the BHIA, which collects beach badge fees for access and provides lifeguards. The overall goal of this MPAP is to establish the Borough of Bay Head's plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

3. Borough of Bay Head's Tidal Waterways and Lands

The tidal waterways within the municipality include the Atlantic Ocean, Barnegat Bay, Bay Head Harbor, Twilight Lake and Scow Ditch. The map in Appendix 3 shows the tidal waterways.

B. Municipal Public Access Goals and Objectives

The goals and objectives of this MPAP has been reviewed and are consistent with the goals and objectives established in the Borough of Bay Head's Master Plan.

The Borough of Bay Head establishes the following as recommendations specifically for public access:

1. All existing public access shall be maintained to the maximum extent practicable.
2. Maintain safe and adequate access locations for fishing.
3. Construct public access in accordance with the American's with Disabilities Act.
4. Protect public accesses from future storm damage.
5. Provide bicycle parking at public access locations.
6. Provide informative signage at access locations.

II. Existing Public Access

A. Public Access Locations

The map titled Borough of Bay Head's Public Access Locations identifies the public access locations within Bay Head. Appendix 4 lists each access point and whether they are currently Utilized or Restricted along with their attributes of improvements, and activities. Bay Head maintains the beach access points and has adequate public access to the oceanfront. There are no beaches along the Bay; however, there are multiple street ends along the Bay that offer visual access. There is also both visual and physical access, as well as benches along Scow Ditch and Twilight Lake. Twilight Lake also has docks for physical access and water sport access.

The Bay Head Improvement Association owns some of the beaches and collects a fee for access to all of the beaches through the sale of beach badges. Beach badges are required and are sold at the Association office, which is located on Mount Street. The beach hours are from 10:00 a.m. to 5:00 p.m. and life guards are provided. The Association, in conjunction with the borough, maintains the stairways to the beach at access points. The Borough works with the Association to assist with providing access and provide continued maintenance and use of the beaches.

B. Improved Public Access Locations

The Borough of Bay Head's public access locations have been improved since Superstorm Sandy. The Borough has completed several bulkhead projects at street ends to ensure shoreline stability and reconstructed oceanfront entrance stairs and platforms. The area around Twilight Lake have been improved to provide visual access and physical access for walking. The grass is maintained for the public to walk to the lake. A public sidewalk/bike path that connects the existing foot bridge over Scow Ditch, along with a comfort station and parking, were completed as part of the construction of the new municipal building.

C. Limitations to Public Access

The following limitations to public access in the Borough of Bay Head currently exist:

- Public access for handicapped individuals is limited to one access point on the oceanfront to provide physical access to the shoreline, which is located at North Street. Partial handicap accesses to the ocean are located at Osborne Street and Howe Street. These locations only provide visual access to the ocean.

- Handicap accessible accesses located at Twilight Lake, Centennial Park Scow Ditch and West Lake Avenue provide visual-only access to waterways.
- Free public parking is provided through the Borough, but is limited to on-street parking spaces and the municipal parking lot. A list of restricted parking areas is provided below.

Restricted Parking Regulations:

<u>Name of Street</u>	<u>Sides</u>	<u>Time Limit</u>	<u>Location</u>
Bridge Avenue	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Bridge Avenue	Both	2 hours; 6:00 a.m. to 6:00 p.m./Every day	From Main Street west to a point 205 feet west of Club Drive
Egbert Street	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Harris Street	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Howe Street	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Johnson Street	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Karge Street	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Lake Avenue	West	2 hours; 6:00 a.m. to 6:00 p.m./Every day	From Harris Street to Bridge Avenue
Mount Street	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	East of East Avenue
Mount Street	Both	2 hours; 6:00 a.m. to 6:00 p.m./Every day	From Main Street to Lake Avenue
Main Street	Both	2 hours; 6:00 a.m. to 6:00 p.m./Every day	From a point 205 feet north of Mount Street

			to a point 258 feet south of Mount Street (west side only)
Osborne Avenue	Both	No parking; 10:00 p.m. to 6:00 a.m./Every day	From East Avenue to Birch Place

III. Community Needs Assessment

The public access needs of the community were evaluated by taking an inventory of the existing public access facilities and how each meets the needs of the Borough. The following factors were taken into consideration: parking, bathing, trash removal, biking, fishing, walking, swimming, kayaking, and surfing.

Each oceanfront street-end was review and a determination was made that no additional facilities can be added due to the limitation of available space, while continuing to provide other amenities such as trash and recycling receptacles, bicycle racks and parking.

The Borough also looked at restroom availability, and handicap access. There is limited available space for additional parking. A determination was made that a public comfort station could be provided and that project was completed as part of the construction of the new municipal building.

It was determined that the Borough has met the community's public access needs and therefore, no additional locations are planned.

IV. Implementation Plan

The Borough of Bay Head has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, Proposed Access Improvements and Facilities, and Municipal Tools for Implementation as described in the following section:

A. Priorities

The Borough of Bay Head will continue to maintain existing public access

B. Preservation of Public Access Locations

The Borough of Bay Head developed the following preservation measures:

1. The Borough constructed new beach access stairways and platforms after Super Storm Sandy. The access areas have been reconstructed as part of the NJDEP

Manasquan Inlet to Barnegat Inlet Beachfill Project. All platforms are above FEMA flood elevations and are built to withstand future storms.

2. The beach front is protected from development by the CAFRA Regulations and the Borough Beach Ordinance.

C. Signage

The Borough of Bay Head has provided public access signs at each beach stairway for the public access way. Additional signage is recommended for all areas along the bay and Scow Ditch. There is also signage for the municipal parking lot and comfort station at the Municipal Building.

D. Proposed Access Improvements and Facilities by the NJ Department of Environmental Protection

1. All oceanfront access-ways are scheduled for modification and improvement as part of the Manasquan Inlet to Barnegat Inlet Beachfill Project administrated by the NJDEP and the United States Army Corp of Engineers.
2. Residents bordering Twilight Lake have requested that improvements be performed to this area that would improve its attractiveness. It is recommended that an improvement plan be developed for Twilight Lake to address the attractiveness of the Lake, which would increase the utilization of this area.

E. Municipal Tools Implementation

The Borough of Bay Head has the following tools for the maintenance, enhancement and development of public access locations:

Ordinances and programs in place to maintain public access. Chapter 75 of the Borough Code entitled “Beaches”, includes regulations for beach protection and prohibits, regulates and/or controls activities that could damage the dunes.

F. Implementation

The Borough of Bay Head has created an Implementation Schedule as follows:

1. Existing Maintenance

Existing maintenance activities and policies include maintenance by the Bay Head Department Public Works, in conjunction with the Bay Head Improvement Association.

2. Enhancements to Existing Locations

- a. Public restrooms have been installed at the municipal building and the project completed.
- b. Oceanfront accessways have been updated and enhanced as part of the NJDEP Manasquan Inlet to Barnegat Inlet Beachfill Project.

3. Proposed Locations and Facilities

A new dock is recommended on Twilight Lake to replace one that was removed as part of a storm-sewer outfall replacement project. No other municipal access points are proposed.

APPENDIX 1
Municipal Public Access Plans
Required Sections per N.J.A.C. 7:7

1. (e) 1 Statement describing overall goal of the MPAP and the administrative mechanisms (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to ensure that the municipality will meet public access goals
2. (e) 2 Statement of Consistency with...Master Plan
3. (e) 3 Public access needs assessment that evaluates:
 - existing access locations and capacities
 - practical limitations (esp. parking and bathrooms)
 - alternatives to address any limitations determined to exist
 - need for additional locations
4. (e) 4 **Digital Map and Inventory** identifying...:
 - tidal waterways within municipality and adjacent lands held by municipality
 - existing and proposed public access ways
 - proposed public access facilities
 - identified facilities compliant with ADA
5. (e) 5 **Implementation strategy**
 - forms of proposed public access responsive to needs assessment (i)
 - comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
 - proposed tools to implement the plan, including (iii)
 - i. adoption or amendment of muni ordinances
 - ii. uses of monetary compensation (Public Access Fund), if any
 - proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
 - proposed compliance with ACOE requirements for shore protection projects
 - cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
 - implementation schedule (vii)
 - ordinances in place/to be adopted re signage requirements (viii)
 - measures to permanently protect public access per MPAP (ix)
 - examples/models of easements/restrictions for permanent protections (x)
 - draft resolution incorporating NJDEP-approved MPAP into a MP element (xi)

APPENDIX 2

Borough of Bay Head Resolutions for Incorporating MPAP into Master Plan

Resolution 2020-61

**RESOLUTION OF THE BOROUGH OF BEAY HEAD, COUNTY OF OCEAN,
STATE OF NEW JERSEY RE-APPROVING THE MUNICIPAL PUBLIC ACCESS
PLAN**

WHEREAS, the Borough of Bay Head Municipal Public Access Plan (MPAP) was submitted to the Borough Council and reviewed at the regular meeting of May 7, 2018, and

WHEREAS, subsequent to that prior approval the MPAP was submitted to the New Jersey Department of Environmental Protection for their review and approval; and

WHEREAS, the New Jersey Department of Environmental Protection provided notification that a number of modifications need to be made to the MPAP in order to receive Department approval, and

WHEREAS, those amendments have been incorporated into the MPAP dated February 3, 2020, and

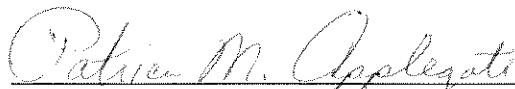
WHEREAS, the governing body has reviewed the amendments to the plan and approved the plan as amended.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Bay Head, County of Ocean, State of New Jersey, that the "Borough of Bay Head Municipal Public Access Plan," a copy of which is attached and dated February 3, 2020, is hereby re-approved.

BE IT FURTHER RESOLVED, that a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

CERTIFICATION

I, PATRICIA M. APPELEGATE, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Bay Head at a meeting held on the 3rd day of February, 2020.


PATRICIA M. APPELEGATE, RMC
Municipal Clerk, Borough of Bay Head

RESOLUTION NO. 2020-96

**RESOLUTION OF THE BOROUGH OF BAY HEAD, COUNTY
OF OCEAN, STATE OF NEW JERSEY, INCORPORATING
THE MUNICIPAL PUBLIC ACCESS PLAN INTO THE
MASTER PLAN OF THE BOROUGH OF BAY HEAD**

WHEREAS, the Borough Council of Bay Head has reviewed a Municipal Public Access Plan, prepared in accordance with N.J.A.C. 7:7; and

WHEREAS, on May 8, 2020, the New Jersey Department of Environmental Protection approved the Borough of Bay Head's Municipal Public Access Plan and issued a Permit for Beach and Dune Maintenance Activities; and

WHEREAS, this approval is subject to the Borough's incorporation of the Municipal Public Access Plan into the Borough's Master Plan;

WHEREAS, the governing body of the Borough of Bay Head hereby approves of the Borough of Bay Head Municipal Public Access Plan and incorporates the Municipal Public Access Plan into the Borough of Bay Head Master Plan.

IT IS THEREFORE RESOLVED, by the Borough Council of the Borough of Bay Head as follows:

1. That Municipal Public Access Plan is approved.
2. That Municipal Public Access Plan shall be incorporated into the Master Plan.
3. That this Resolution shall be forwarded to the New Jersey Department of Environmental Protection.

CERTIFICATION

I, **PATRICIA M. APPLGATE** do hereby certify that the foregoing resolution was duly adopted by the Governing Body of the Borough of Bay Head at a meeting held on the 1st day of **June, 2020**.


PATRICIA M. APPLGATE
Borough of Bay Head

r|m|s|h|c

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APPENDIX 3
Public Access Location Map



NOTE: THIS MAP CONTAINS DATA FROM THE NJDEP AND OCEAN COUNTY GIS DATABASES. THIS SECONDARY PRODUCT HAS NOT BEEN VERIFIED BY NJDEP AND IS NOT STATE OR COUNTY AUTHORIZED.

0 80 160 320 480 640 Feet

1 inch = 250 feet



MAY 30, 2018

PUBLIC ACCESS LOCATIONS
FOR
BOROUGH OF BAY HEAD
OCEAN COUNTY, NEW JERSEY

Appendix 4
Table 1 Public Access Location Amenities

ID	Signs	Parking	Street Location	Badges				Surfing	Playground	Park	Boat		Food /		Rest		Seating	HC	Shore-Line	Access Type
				Required	Swimming	Fishing	Launch				Marina	Drink Sold	Rooms							
1	Yes	Free On Street	Osborn St. Beach Access	Yes	Seasonal Lifeguards	With Restrictions **	Yes	No	No	No	No	No	No	Yes****	Yes	Partial		Ocean	Physical / Visual	
2	Yes	Free On Street	North St. Beach Access	Yes	At Own Risk* Seasonal	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	No	Partial *****		Ocean	Physical / Visual	
3	Yes	Free On Street	Karge St. Beach Access	Yes	Lifeguards	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	No		Ocean	Physical / Visual	
4	Yes	Free On Street	Harris St. Beach Access	Yes	At Own Risk* Seasonal	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	No		Ocean	Physical / Visual	
5	Yes	Free On Street	Bridge Ave. Beach Access	Yes	Lifeguards	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	No		Ocean	Physical / Visual	
6	Yes	Free On Street	Howe St. Beach Access	Yes	At Own Risk* Seasonal	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	Partial		Ocean	Physical / Visual	
7	Yes	Free On Street	Mount St. Beach Access	Yes	Lifeguards	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	No		Ocean	Physical / Visual	
8	Yes	Free On Street	Chadwick St. Beach Access	Yes	At Own Risk* Seasonal	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	No	No		Ocean	Physical / Visual	
9	Yes	Free On Street	Johnson St. Beach Access	Yes	Lifeguards	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	No		Ocean	Physical / Visual	
10	Yes	Free On Street	Egbert St. Beach Access	Yes	Lifeguards	With Restrictions **	Restricted***	No	No	No	No	No	No	Yes****	Yes	No		Ocean	Physical / Visual	
11	Yes	Free On Street	Strickland St. Beach Access	Yes	At Own Risk*	With Restrictions **	Yes	No	No	No	No	No	No	Yes****	No	No		Ocean	Physical / Visual	
12	No	Free On Street	Clayton Avenue Bay Access	No	No	No*****	N/A	No	No	No	No	No	No	No	No	Yes		Bay	Visual	
13	No	Free On Street	Strickland St. Bay Access	No	No	No*****	N/A	No	No	No	No	No	No	No	No	Yes		Bay	Visual	
14	Yes	Free On Street	Goetze St. Bay Access	No	No	No*****	N/A	No	No	No	No	No	No	No	No	No		Bay	Visual	
15	No	Free On Street	Johnson St. Bay Access	No	No	No*****	N/A	No	No	No	No	No	No	No	No	Yes		Bay	Visual	
16	No	Free On Street	Forsyth St. Scow Ditch Access	No	No	No*****	N/A	No	No	No	No	No	No	Yes****	No	Yes		Bay	Visual	
17	No	Free On Street	Mount St. Scow Ditch Access	No	No	No*****	N/A	Yes	Yes	No	No	No	No	Yes****	No	Yes		Bay	Visual	
18	No	Free On Street	Howe St. Scow Ditch Access	No	No	No*****	N/A	Yes	Yes	No	No	No	No	Yes****	No	Yes		Bay	Visual	
19		No Street	Blue Star Memorial Park	No	No	Yes	N/A	Yes	Yes	No	No	No	No	Yes****	Yes	Yes		Bay	Visual	
20	Yes	Free On Street	Twilight Lake Access (9 Total Points)	No	No	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	Partial		Lake	Physical / Visual	
21	No	Free On Street	Centennial Park Scow Ditch Access	No	No	No*****	N/A	No	No	No	Yes	Yes	No	No	No	Partial		Bay	Visual	
22	Yes	Free On Street	West Lake Ave. Bay Head Harbor Access	No	No	Yes	N/A	No	No	No	No	Yes	No	No	No	Partial		Bay	Visual	
23	Yes	Yes	Comfort Station - 83 Bridge Avenue	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	N/A	Yes		N/A	N/A	
24	Yes	Free	Municipal Parking Lot	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes		N/A	N/A	

* Swimming restricted based upon ocean conditions during summer open-beach hours
** Fishing is prohibited in designated swimming areas during summer open-beach hours
*** Surfing prohibited during summer open-beach hours
**** Comfort station available at 83 Bridge Avenue
***** Will be accessible post beach replenishment project
*****Street-end locations and can not provide necessary amenities to support physical access

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Beach Access Photos

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Picture 54: Twilight Lake, park access	27
Picture 55: Twilight Lake, Karge Street, Dock Access	28
Picture 56: Twilight Lake, Park Access	28



Picture 1: Osborne Avenue beach access, street side



Picture 2: Osborne Avenue beach access, beach side



Picture 3: Osborne Avenue beach access, beach side



Picture 4: Osborne Avenue beach access, stairs



Picture 5: North Street, street access



Picture 6: North Street, beach access deck



Picture 7: North Street, beach access stairway



Picture 8: Karge Street beach access, street side



Picture 9: Karge Street beach access stairs



Picture 10: Karge Street beach access deck



Picture 11: Harris Street beach access, street side



Picture 12: Harris Street beach access stairs



Picture 13: Harris Street beach access, beach access deck



Picture 14: Harris Street beach side stairway



Picture 15: Bridge Avenue beach access street side



Picture 16: Bridge Avenue beach access point



Picture 17: Bridge Avenue beach access alternate pathway



Picture 18: Bridge Avenue beach access beach side



Picture 19: Howe Street beach access street side



Picture 20: Howe Street beach access ADA ramp



Picture 21: Howe Street beach access ADA walkway



Picture 22: Howe Street beach access, Beach access deck



Picture 23: Howe Street beach access, beach side stairway



Picture 24: Mount Street beach access, street side



Picture 25: Mount Street beach access, beach side



Picture 26: Chadwick Street beach access walkway from street



Picture 27: Chadwick Street beach access stairway



Picture 28: Chadwick Street beach access walkway



Picture 29: Johnson Street beach access, street side



Picture 30: Johnson Street beach access, beach side



Picture 31: Johnson Street, stairway



Picture 32: Egbert Street beach access, street side



Picture 33: Egbert Street beach access deck



Picture 34: Egbert Street beach access stairs, beach side



Picture 35: Egbert Street beach access stairs, beach side, front view



Picture 36: Strickland Street walkway access



Picture 37: Strickland Street walkway access



Picture 38: Strickland Street walkway access



Picture 39: Strickland Street, beach access



Picture 40: Clayton Avenue, bay access



Picture 41: Strickland Street, bay access



Picture 42: Goetze Street, bay access



Picture 43: Johnson Street, bay access



Picture 44: Yacht Club, Bay Head Harbor access



Picture 45: Yacht Club, Bay Head Harbor access



Picture 46: Forsyth Street, Scow Ditch access



Picture 47: Mount Street, Scow Ditch access



Picture 48: Howe Street, Scow Ditch access



Picture 49: Bridge Avenue, North side Scow Ditch access



Picture 50: Bridge Avenue, south side Scow Ditch access



Picture 51: West Lake Avenue, Bay Head Harbor access



Picture 52: Twilight Lake, Harris Street, Dock Access



Picture 53: Twilight Lake access, street access



Picture 54: Twilight Lake, park access



Picture 55: Twilight Lake, Karge Street, Dock Access



Picture 56: Twilight Lake, Park Access

APPENDIX 6
Executed Deed of Dedication and Perpetual Public Access

ORDINANCE 2020-01

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF THE DEED OF
DEDICATION AND PERPETUAL PUBLIC ACCESS
EASEMENT**

WHEREAS, the Borough is the owner or easement holder of certain tracts of land identified as public access ways to tidal waterways; and

WHEREAS, as part of the to the Municipal Public Access Plan, which the Borough is required to file with the New Jersey Department of Environmental Protection, the Borough identified several public access ways to tidal waterways, and is required by NJDEP rules to dedicate the lands via a Perpetual Public Access Easement; and

WHEREAS, the Borough wishes to grant a perpetual deed of easement, a copy of which is attached hereto and made a part hereof as "Schedule A," across the subject property to the State of New Jersey.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Bay Head, County of Ocean, State of New Jersey, as follows:

SECTION 1. That the governing body does hereby authorize the dedication of a Deed of Dedication and Perpetual Public Access Easement to the State of New Jersey attached hereto as Schedule "A."


SECTION 2. That the Mayor and the Municipal Clerk are hereby authorized to execute and attest to, respectively, any and all documents necessary to facilitate the transfer of the above-mentioned easement in a form acceptable to the Borough Attorney.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4 If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

ATTEST:


Patricia M. Applegate, Municipal Clerk

APPROVED:


William W. Curtis, Mayor

Introduced on First Reading:

February 3, 2020

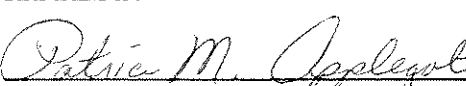
Introduced on Second Reading:

March 2, 2020


Approved on Second Reading:

March 2, 2020

ATTEST:


Patricia M. Applegate, Municipal Clerk

APPROVED:


William W. Curtis, Mayor

DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT

THIS DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT is made this 2nd day of March, 2020

BETWEEN: BOROUGH OF BAY HEAD, a municipal corporation with principal offices located at 83 Bridge Avenue, Bay Head, New Jersey
Hereinafter referred to as "Grantor,"

AND BOROUGH OF BAY HEAD a municipal corporation with principal offices located at 83 Bridge Avenue, Bay Head, New Jersey; and
THE STATE OF NEW JERSEY
Hereinafter referred to as the "Grantees."

W I T N E S S E T H

WHEREAS, Grantor is the owner of that certain tract of land, located in the Borough of Bay Head, County of Ocean, State of New Jersey, and/or identified as public street ends located at Osborne Street, North Street, Karge Street, Harris Street, Bridge Avenue, Howe Street, Mount Street, Chadwick Street, Johnson Street, Egbert Street, Strickland Street, Clayton Avenue, Goetze Street, Forsyth Street, Mount Street, as well as Twilight Lake and West Lake Avenue as identified in Addendum A (Street End Descriptions) and Addendum B, Official tax map of the Borough of Bay Head hereinafter the "Property(s)," and Grantor holds the requisite interest to grant this Deed of Easement; and

WHEREAS, the Grantees recognize that tidal waterways and their coastlines at Bay Head, New Jersey are valuable economic resources to the municipality and the State of New Jersey; and

WHEREAS, access to tidal waterways at Bay Head, New Jersey is a right provided to the public under the Public Trust Doctrine; and

WHEREAS, in order for the public to access tidal waterways, perpendicular access to these areas must be secured for public use; and

WHEREAS, in order to ensure public access, Grantees need a Perpetual Public Access Easement on portions of said Property(s) herein described; and

WHEREAS, the Borough of Bay Head shall consider this Deed of Easement in establishing the assessed value of any lands subject to such restrictions; and

WHEREAS, this Deed of Dedication and Perpetual Public Access Easement shall be subject to and consistent with any existing public access agreement or easement entered into by the Municipality with the United States Army Corps of Engineers; and

WHEREAS, this Deed of Easement will also serve to implement the Public Trust Doctrine and ensure permanent public access, use and enjoyment of tidal waterways and their shores.

NOW, THEREFORE, the Grantor grants and conveys to Grantee an irrevocable, assignable, perpetual and permanent easement as set forth herein:

GRANT OF EASEMENT: A perpetual and assignable easement and right-of-way across that land of the Property(s) described as public street ends located at Osborne Street, North Street, Karge Street, Harris Street, Bridge Avenue, Howe Street, Mount Street, Chadwick Street, Johnson Street, Egbert Street, Strickland Street, Clayton Avenue, Goetze Street, Forsyth Street, Mount Street, as well as Twilight Lake and West Lake Avenue as identified in Addendum A (Approximate Street End Descriptions) and Addendum B on the official 2020 tax map of the Borough of Bay Head hereinafter the "Property(s)," and Grantor holds the requisite interest to grant this Deed of Easement listed above for use by the State of New Jersey and the Borough of Bay Head their representatives, agents, contractors and assigns to:

- a. Construct, preserve, patrol, operate, maintain, repair, rehabilitate, and replace a public access area to allow the public access to tidal waterways;
- b. Post signs;

The easement reserves to the Grantor, the Grantor's, successors and assigns the right and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the Grantees, subject however to existing easements for utilities and pipelines, existing public highways, existing paved public roads and existing public streets.

Duration of Easement: The easement granted hereby shall be in perpetuity, and in the event that the Borough of Bay Head or the State of New Jersey shall become merged with any other geopolitical entity or entities, the easement granted hereby shall run in favor of surviving entities. The covenants, terms, conditions and restrictions of this Deed of Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective representatives, successors and assigns and shall continue as a servitude running in perpetuity with the land.

Municipality to Maintain Public Access: The Municipality agrees, consistent with all Federal, State and local statutes and regulations, that at all times it shall use its best, good-faith efforts to preserve, cause and ensure the public access areas to be maintained, consistent with all applicable Federal, State or local laws or regulations, notwithstanding any action or inaction of the State of New Jersey.

Character of Property(s): Notwithstanding the foregoing, nothing herein is intended or shall be deemed to grant the Grantees or otherwise permit the Grantee to any other person to cross over or use any part of the Property(s) which is not within the Easement Area; nothing herein is intended or shall be deemed to alter the boundary lines or setback lines of the Property(s).

By the acceptance of this Deed of Easement, the Municipality agrees, to the extent allowed by applicable law, that the Property(s) burdened by the easement herein described shall not be excluded from the calculations of minimum square footage requirements when construing applications under the Zoning Ordinance of the Municipality.

Miscellaneous:

1. The enforcement of the terms of this Easement shall be at the discretion of the Grantees and any forbearance by Grantees to exercise their rights under this Easement in the event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent violation or of any of Grantees rights under this Easement. No delay or omission by Grantees in the exercise of any right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.
2. The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey.
3. If any provisions of this Deed of Easement or the application thereof to any person or circumstance is found to invalid, the remainder of the provision of this Easement or the application of such provisions to person or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.
4. Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first-class mail, postage prepaid and by Certified Mail, Return Receipt Requested, addressed to the mailing addresses set forth above or any other address of which the relocation party shall notify the other, in writing.

5. The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.
6. Structures no part of the project are not authorized.

IN WITNESS WHEREOF, the said Grantor has hereunto set their hands and seal on the day and year above written.

Signed, Sealed and Delivered
in the presence of:

By: William Curtis
William Curtis, Mayor

STATE OF NEW JERSEY, COUNTY OF Ocean SS:
I CERTIFY that on March 2, 2020,

William Curtis, Mayor personally came before me and this person acknowledged under oath, to my satisfaction that this person (or if more than one, each person);

- 1) Is named in and personally signed this Deed of Easement;
- 2) Signed, sealed and delivered this Deed of Easement as his or her act and deed;
- 3) Holds the requisite ownership interest and authority to execute this Deed of Easement;
and
- 4) Made this Deed of Easement for the full and actual consideration as set forth herein.

Patricia M. Applegate
NOTARY PUBLIC OF NEW JERSEY

PATRICIA M. APPLGATE
Notary Public of New Jersey
My Commission Expires Dec. 18, 2022

Boothstein, Mandell, Strohman,
Halm & Cipriani
Counsellors at Law
150 Airport Road, #600
P.O. Box 3017
Lakewood, New Jersey 08701

ADDENDUM A
Borough of Bay Head

Approximate Street End Right of Way Description
Street Location

Osborne Street Beach Access (1)

Beginning from the easterly intersection of East Avenue and Osborne Avenue (61.56' wide) and extending approximately 100' east therefrom.

North Street Beach Access

Beginning from the easterly terminus of North Street (55' wide) extending approximately 15 feet west to the intersection of East Avenue.

Karge Street Beach Access

Beginning from the easterly terminus of Karge Street (55' wide) extending approximately 72 feet west to the intersection of East Avenue.

Harris Street Beach Access

Beginning from the easterly terminus of Harris Street (55' wide) extending approximately 105 feet west to the intersection of East Avenue.

Bridge Avenue Beach Access

Beginning from the easterly terminus of Bridge Street (70' wide) extending approximately 136 feet west to the intersection of East Avenue.

Howe Street Beach Access

Beginning from the easterly terminus of Howe Street (55' wide) extending approximately 145 feet west to the intersection of East Avenue.

Mount Street Beach Access

Beginning from the easterly terminus of Mount Street (50' wide) extending approximately 165 feet west to the intersection of East Avenue.

Chadwick St. Beach Access

Johnson Street Beach Access

Beginning from the easterly terminus of Johnson Street (40' wide) extending approximately 141 feet west to the intersection of East Avenue.

Egbert Street Beach Access

Beginning from the easterly terminus of Egbert Street (40' wide) extending approximately 150 feet west to the intersection of East Avenue.

Strickland Street Beach Access

Clayton Avenue Bay Access

Strickland Street Bay Access

Beginning from the westerly terminus of Strickland Street (50' wide) extending approximately feet east to the intersection of Clayton.

Goetze Street Bay Access

Beginning from the westerly terminus of Goetze Street (50' wide) extending approximately 370 feet east to the intersection of Clayton Avenue.

Johnson Street Bay Access

Beginning from the westerly terminus of Johnson Street (40' wide) extending approximately 102 feet east to the intersection of Clayton Avenue.

Forsyth Street Scow Ditch Access

Beginning from the westerly terminus of Forsyth Street (50' wide) extending approximately 94 feet east to the intersection of Lake Avenue.

Mount Street Scow Ditch Access

Beginning from the westerly terminus of Mount Street (50' wide) extending approximately 43 feet east to the intersection of Lake Avenue.

Howe Street Scow Ditch Access

Beginning from the westerly terminus of Howe Street (55' wide) extending approximately 152 feet east to the intersection of Lake Avenue.

Blue Star Memorial Park

Twilight Lake Access (9 Total Points)

Centennial Park Scow Ditch Access

West Lake Avenue Bay Head Harbor Access

Beginning from the southerly terminus of West Lake Avenue (50' wide) extending approximately 287 feet north to the intersection of Metcalfe Street.

ADDENDUM B

Page 1 - Osborn Street - Beach Access, Excerpt from Tax Map Page 2
Page 2 - North Street - Beach Access, Excerpt from Tax Map Page 2
Page 3 - Karge Street - Beach Access, Excerpt from Tax Map Page 2
Page 4 - Harris Street - Beach Access, Excerpt from Tax Map Page 2
Page 5- Bridge Avenue - Beach Access, Excerpt from Tax Map Page 4
Page 6 - Howe Street - Beach Access, Excerpt from Tax Map Page 4
Page 7- Mount Street - Beach Access, Excerpt from Tax Map Page 4
Page 8- Chadwick Street - Beach Access, Excerpt from Tax Map Page 4
Page 9- Johnson Street - Beach Access, Excerpt from Tax Map Page 4
Page 10- Egbert Street - Beach Access, Excerpt from Tax Map Page 5
Page 11- Strickland Street - Beach Access, Excerpt from Tax Map Page 5
Page 12- Clayton Avenue - Bay Access, Excerpt from Tax Map Page 5
Page 13- Strickland Street - Bay Access, Excerpt from Tax Map Page 5
Goetze Street - Bay Access, Excerpt from Tax Map Page 5
Page 14- Johnson Street - Bay Access, Excerpt from Tax Map Page 5
Page 15- Forsyth Street - Scow Ditch Access, Excerpt from Tax Map Page 4
Mount Street - Scow Ditch Access, Excerpt from Tax Map Page 4
Lake Ave- Scow Ditch Access, Excerpt from Tax Map Page 4
Page 16 - Howe Street Scow Ditch Access, Excerpt from Tax Map Page 4
Scow Ditch Access, Excerpt from Tax Map Page 4
Page 17-22 - Twilight Lake Access, [9 Total Points] Excerpt from Tax Map Page 2
Page 23- West Lake Avenue Bay Head Harbor Access Excerpt from Tax Map Page 3

ADDENDUM A

Borough of Bay Head

Approximate Street End Description

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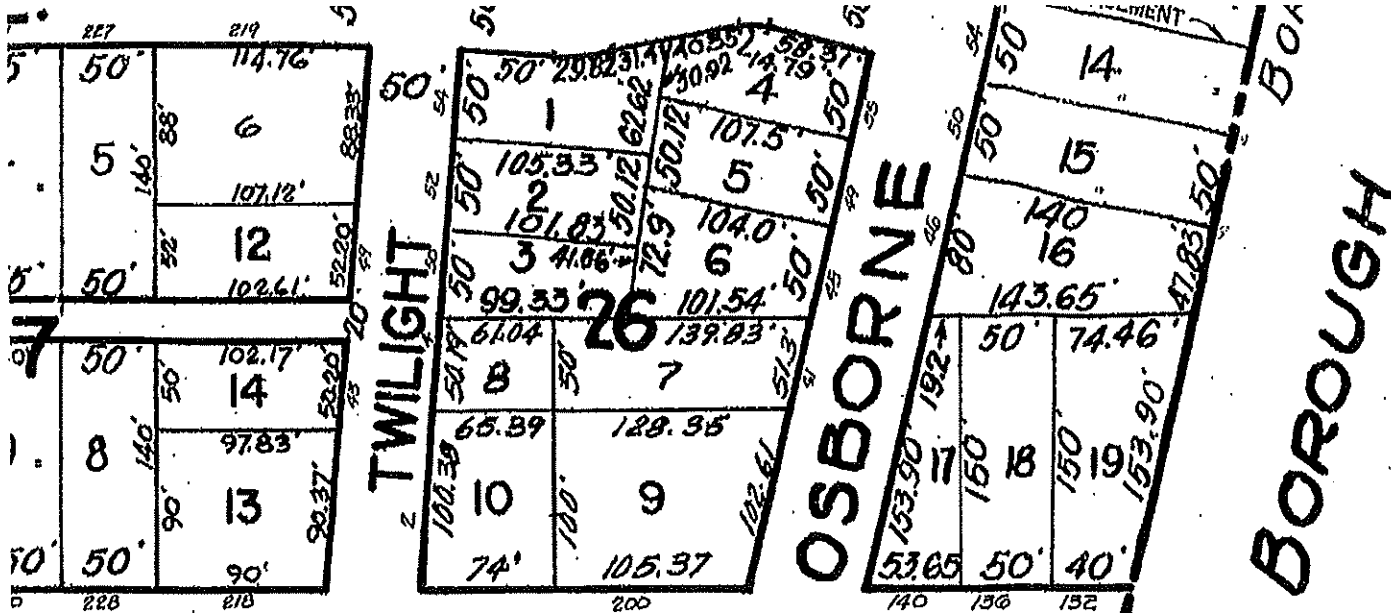
Blue Star Memorial Park

Twilight Lake Access (9 Total Points)

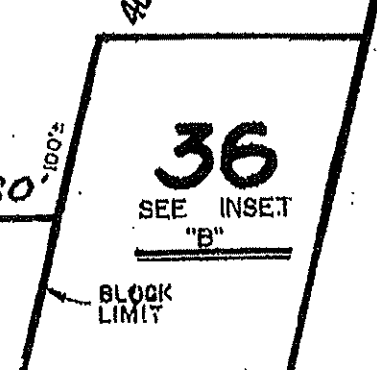
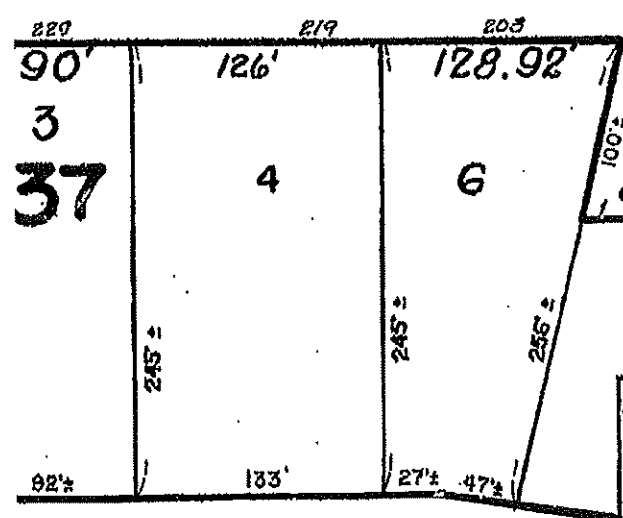
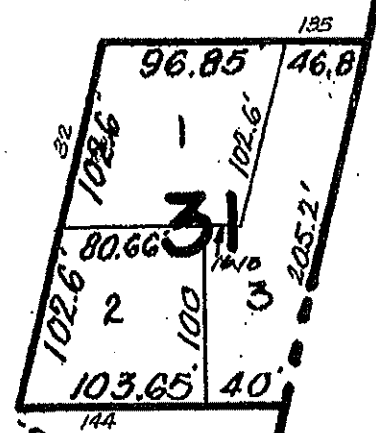
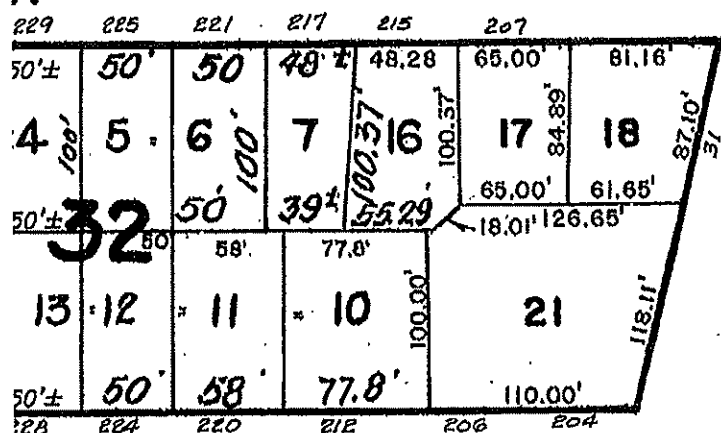
Centennial Park Scow Ditch Access

West Lake Avenue Bay Head Harbor Access

Beginning from the southerly terminus of West Lake Avenue (50' wide) extending approximately 287 feet north to the intersection of Metcalfe Street.



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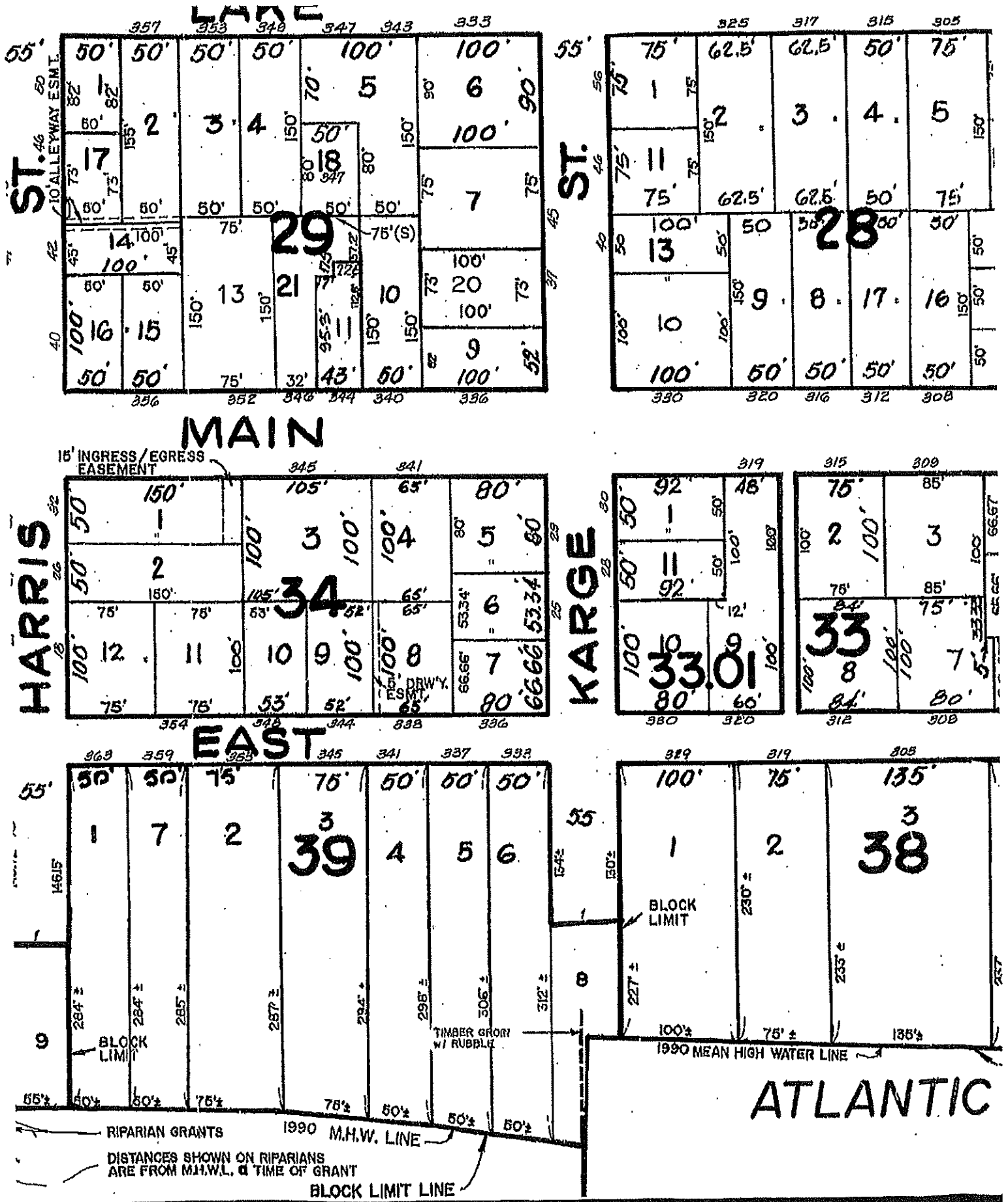


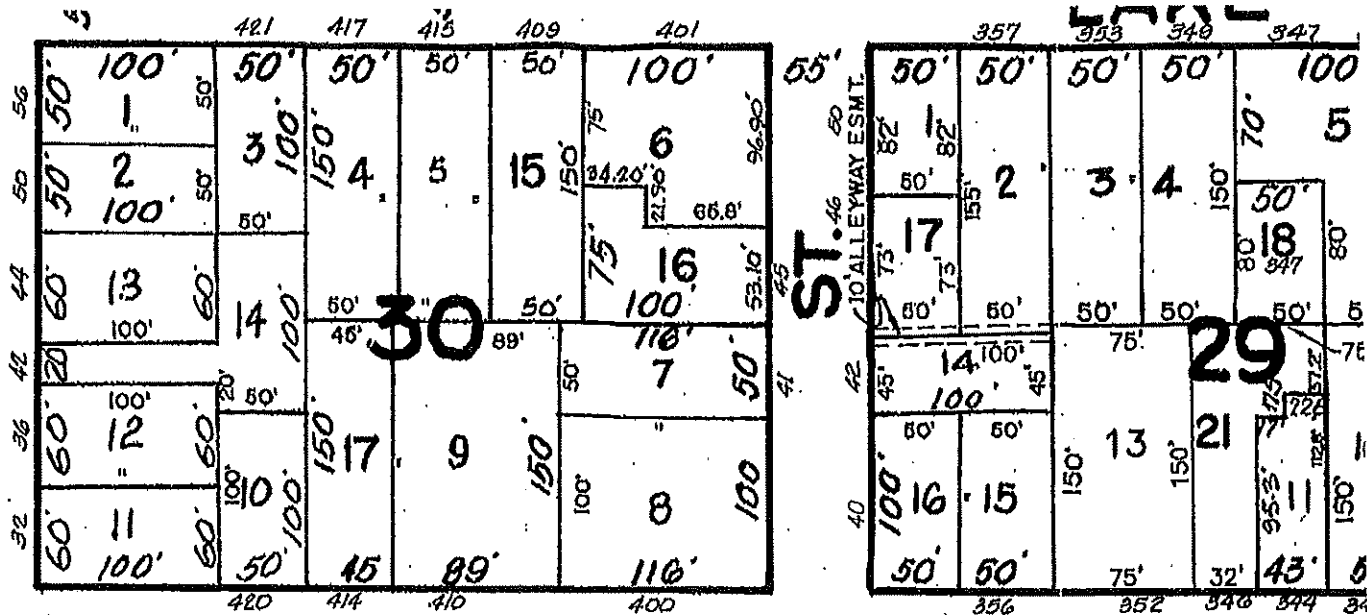
NEW JERSEY DEPARTMENT OF THE TREASURY
APPROVED AS A TAX MAP PURSUANT TO THE
PROVISIONS OF CHAPTER 175 LAWS OF 1913

BY *J. H. Tupper*
CHIEF ENGINEER AND SUPERVISOR

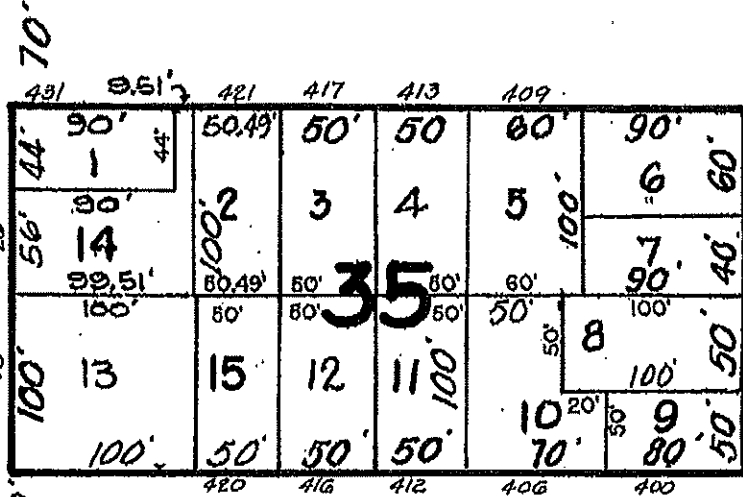
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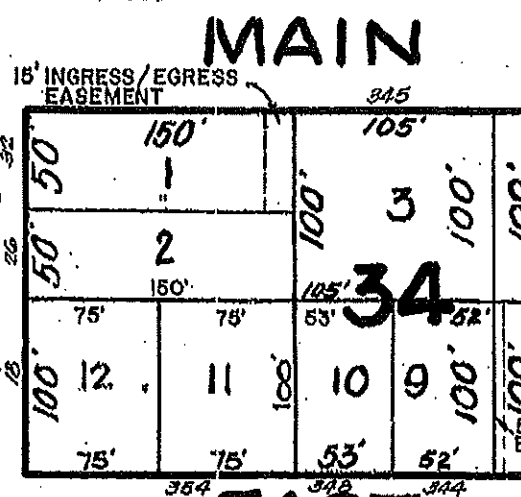




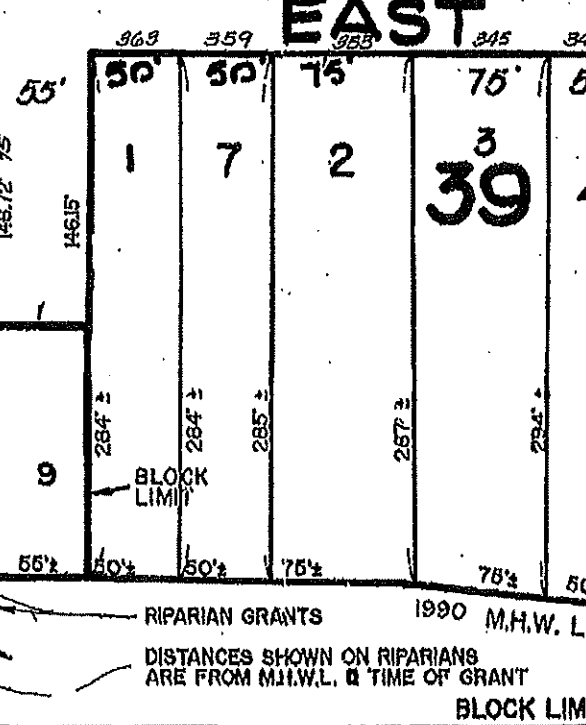
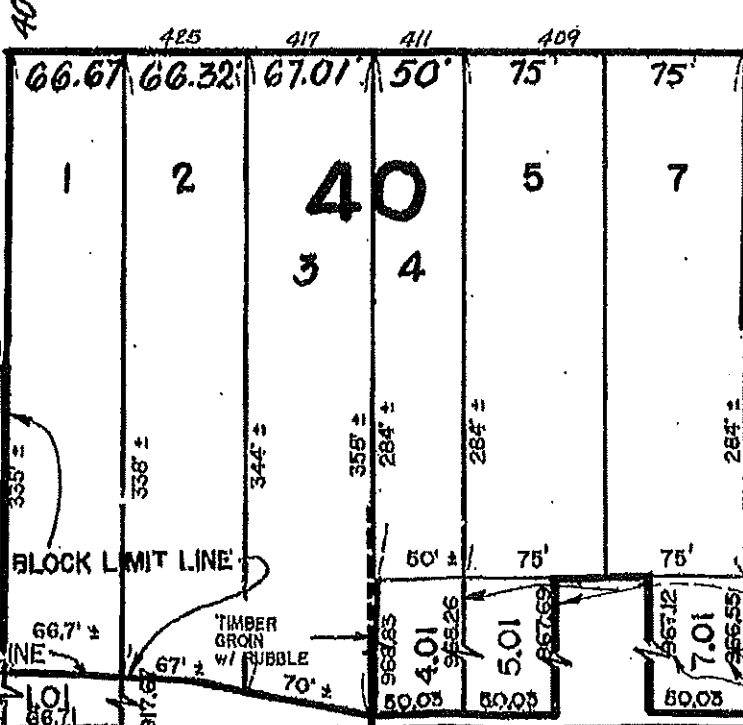
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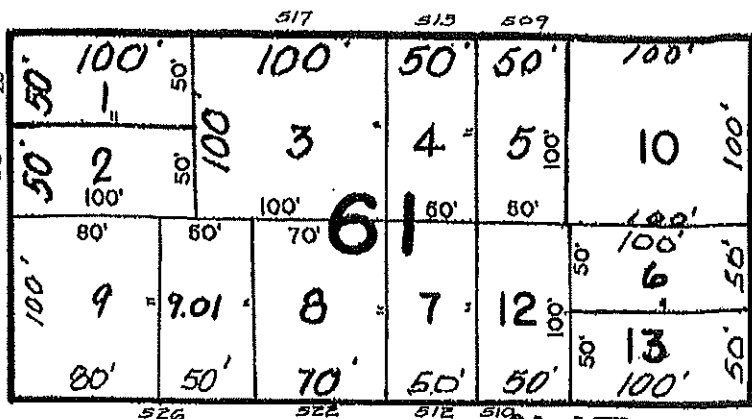


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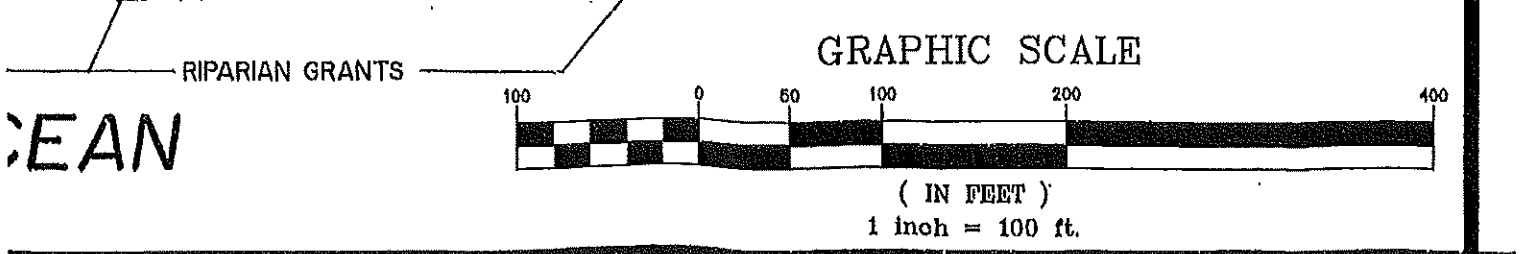
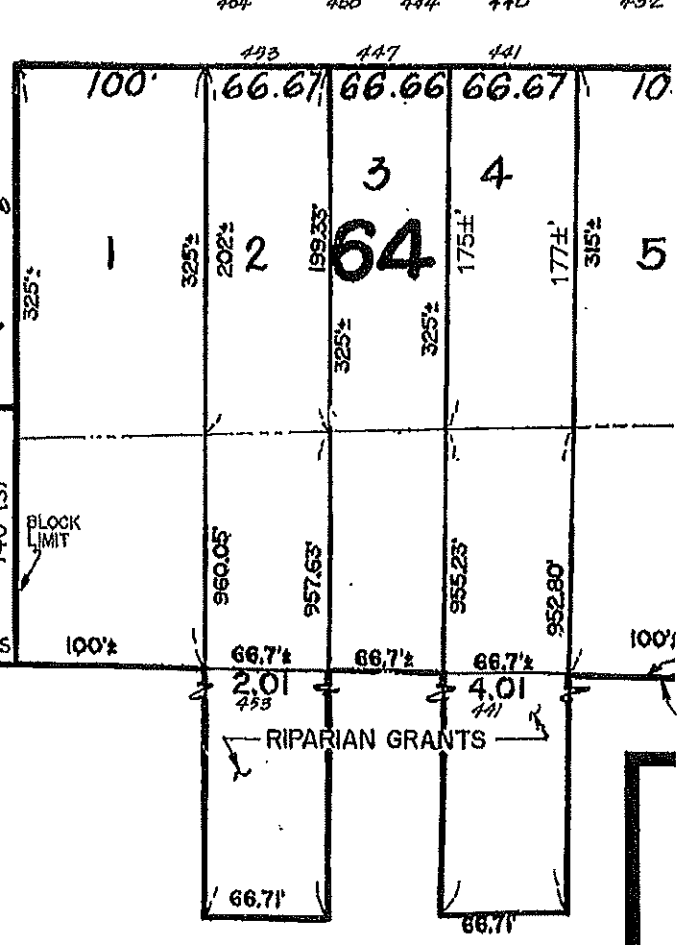
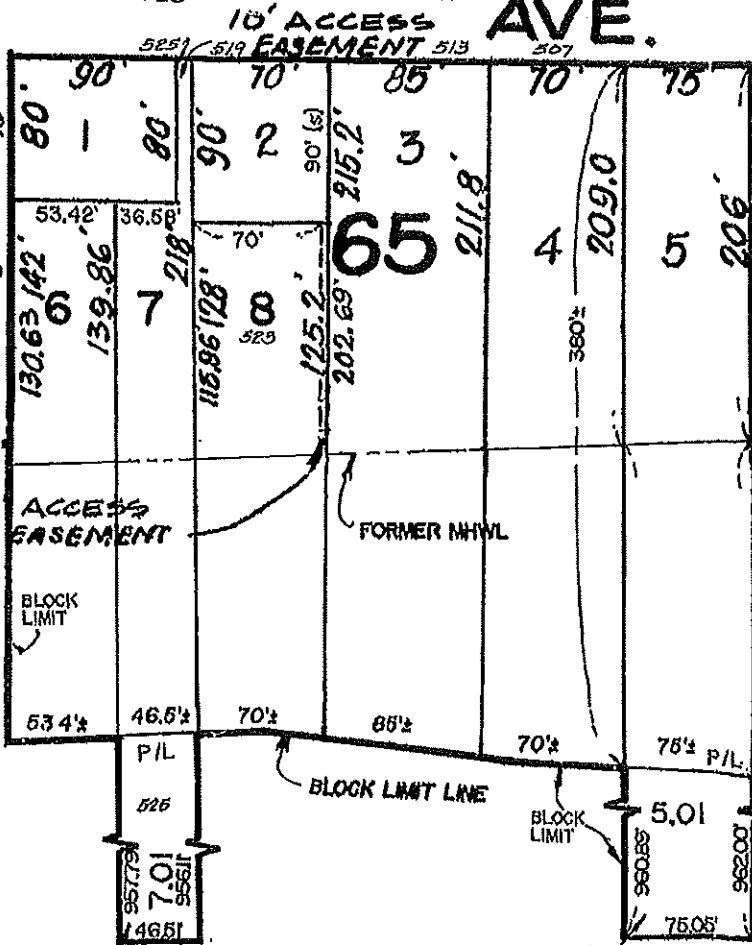
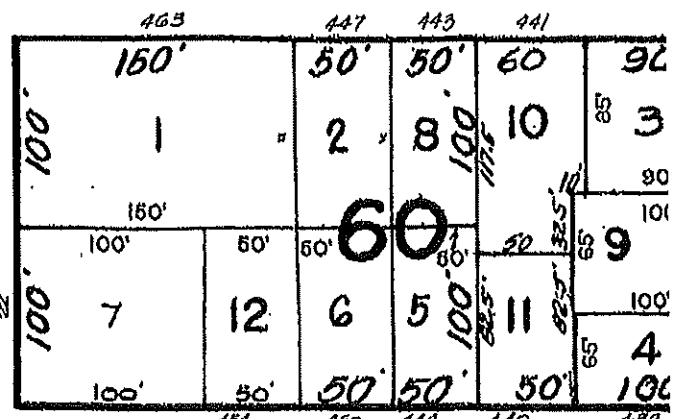




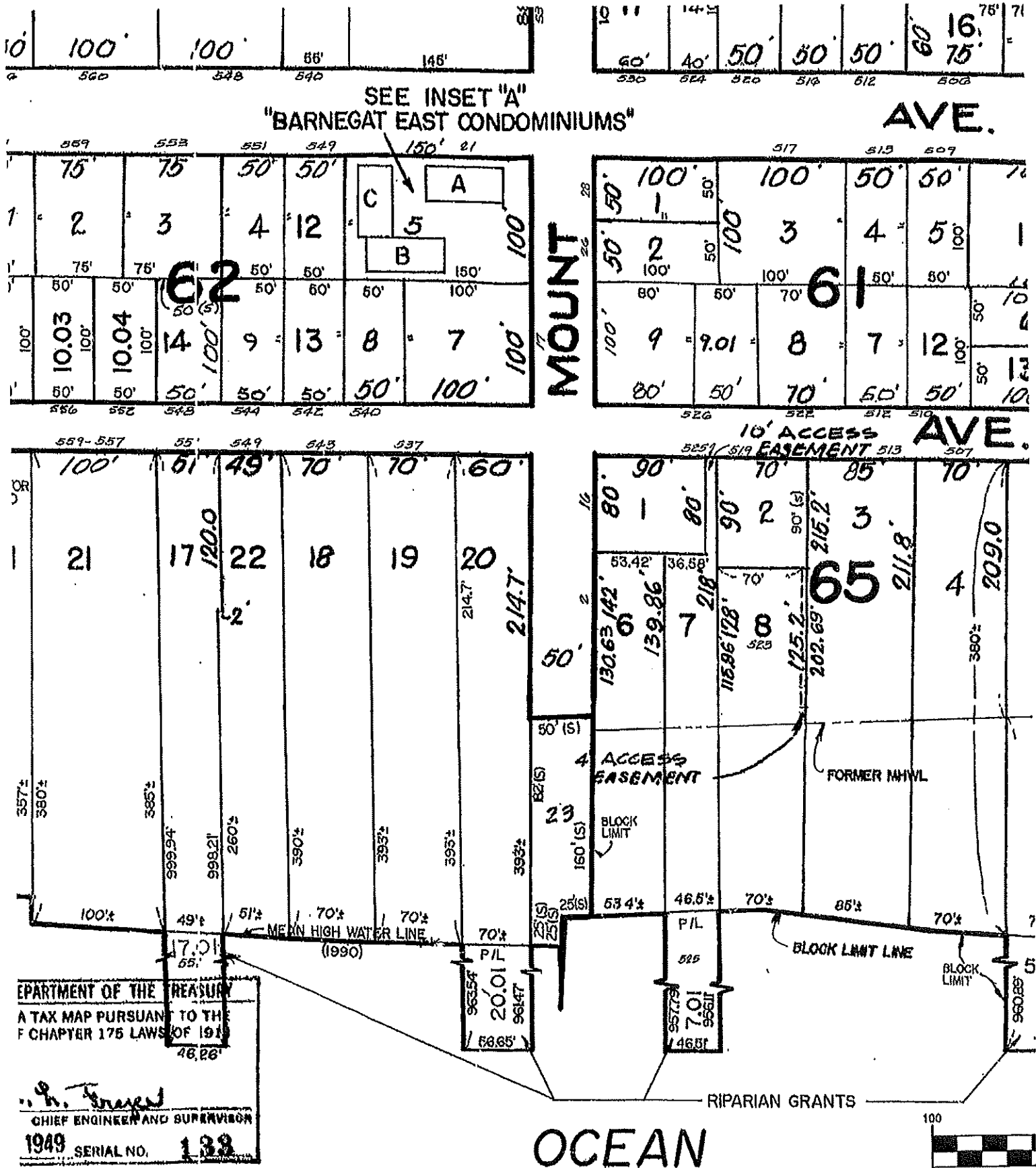
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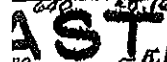


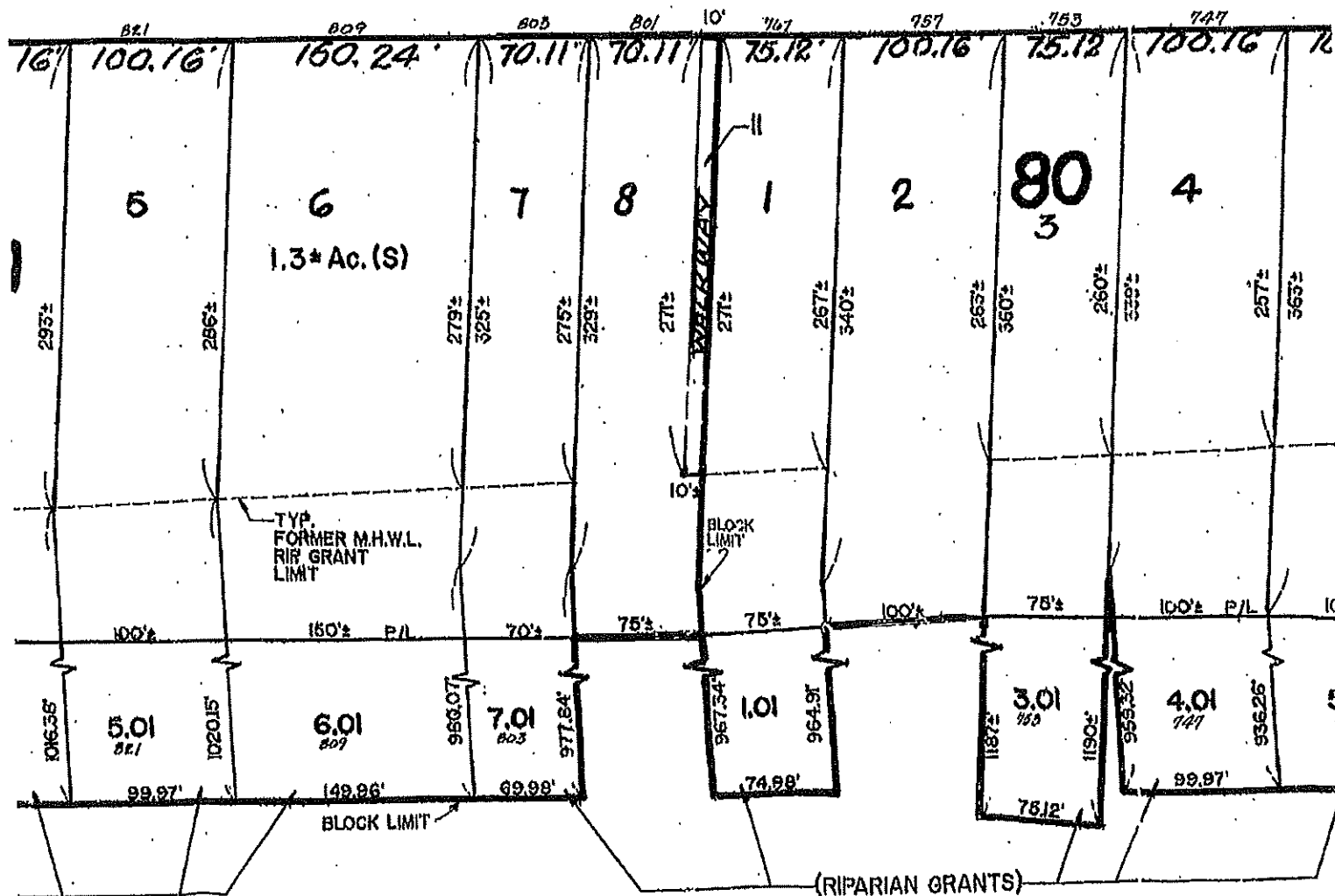
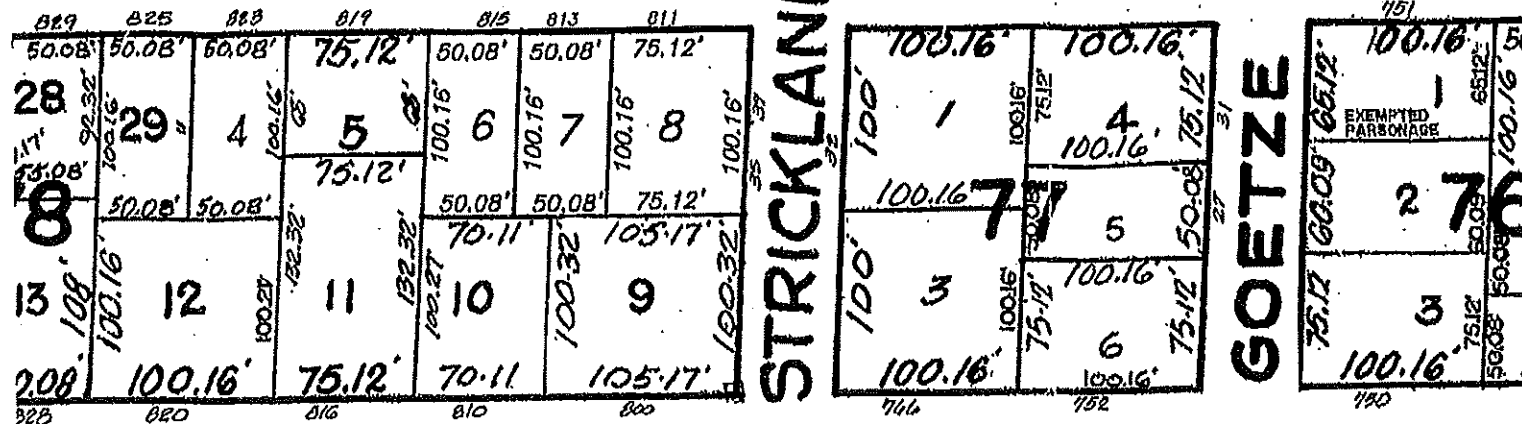
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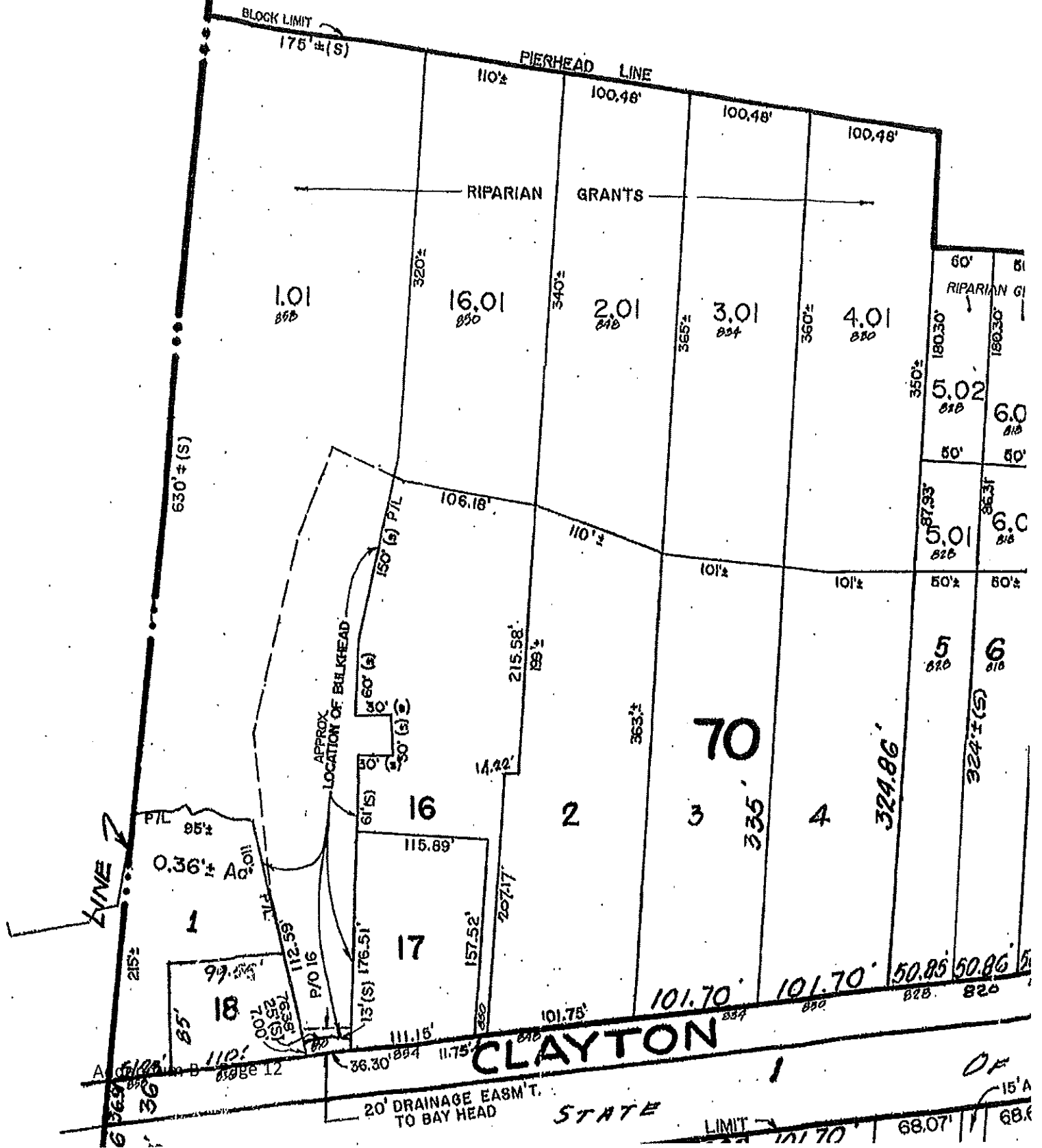


Addendum B – Page 8



71C

CLAYTON



B

A diagram showing a horizontal line representing the boundary between air (top) and water (bottom). A vertical dashed line represents the normal. A ray of light is shown as a solid line with an arrow pointing downwards, starting from the air and bending towards the normal as it enters the water.



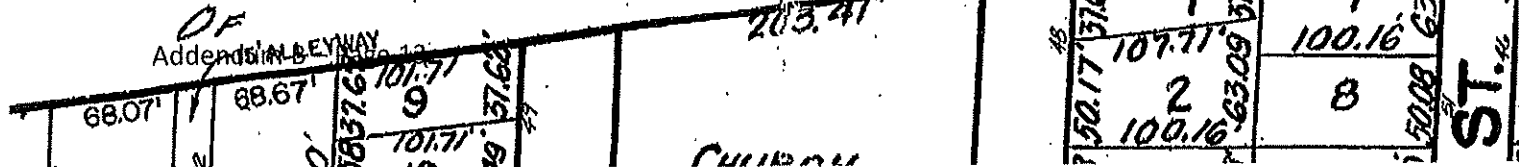
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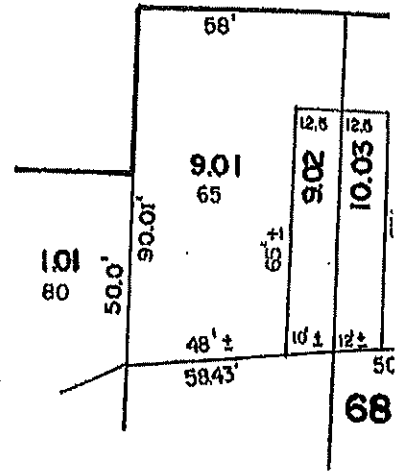
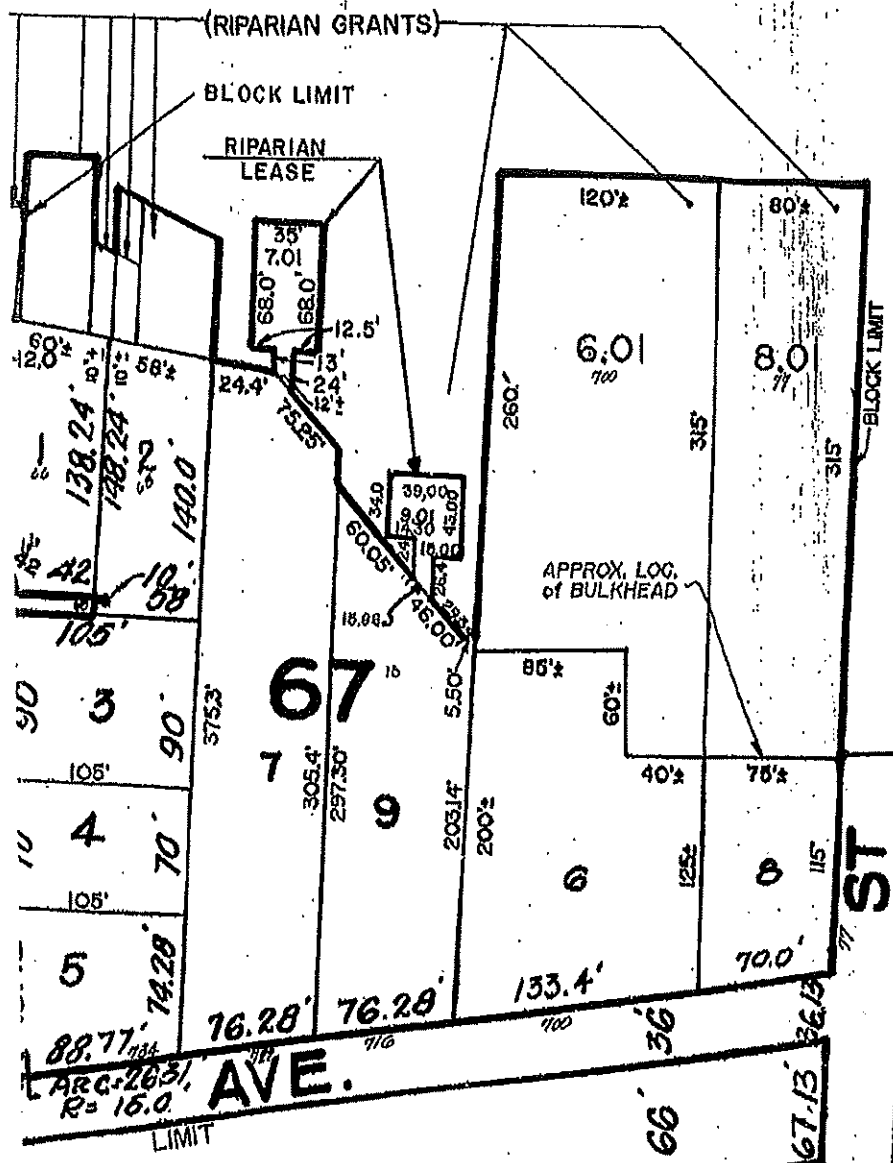
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Addendum B - ALLEYWAY



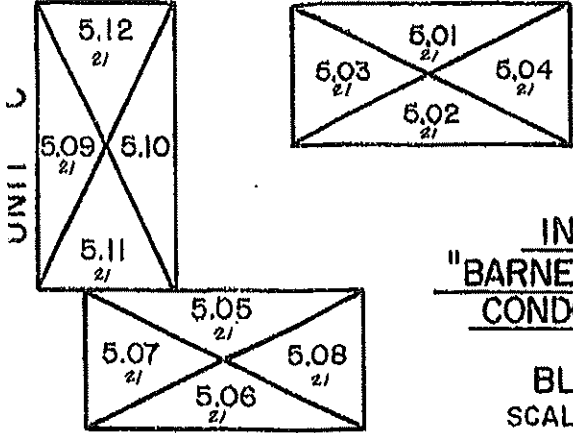
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Addendum B - Page 14

LAKE AVE.

UNIT "A"



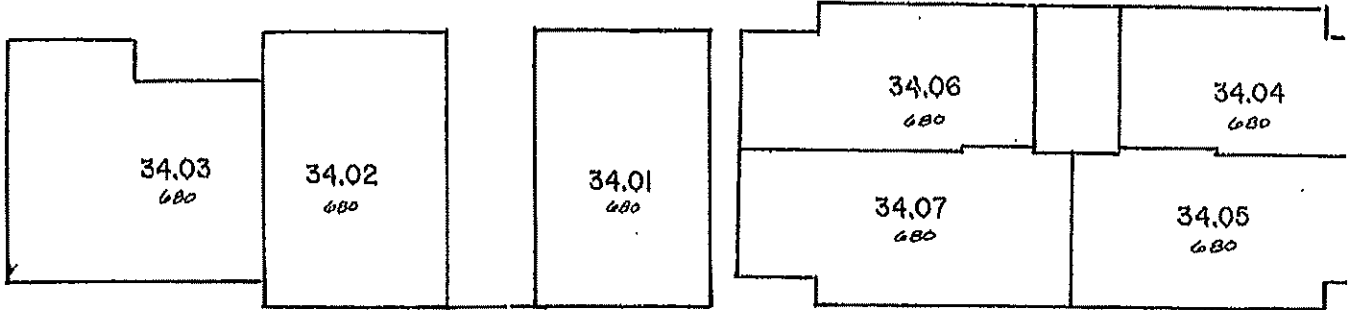
UNIT "B"

INSET "A" "BARNEGAT EAST CONDOMINIUMS"

BLOCK 62
SCALE 1" = 40'

SQUARE FOOTAGE OF UNITS "BARNEGAT EAST CONDOMINIUMS"

BLOCK	LOT	"TOTAL" AREA
62	5.01	980 S.F.
	5.02	728 S.F.
	5.03	980 S.F.
	5.04	728 S.F.
	5.05	980 S.F.
	5.06	728 S.F.
	5.07	980 S.F.
	5.08	728 S.F.
	5.09	728 S.F.
	5.10	728 S.F.
	5.11	728 S.F.
	5.12	728 S.F.



N GRANTS

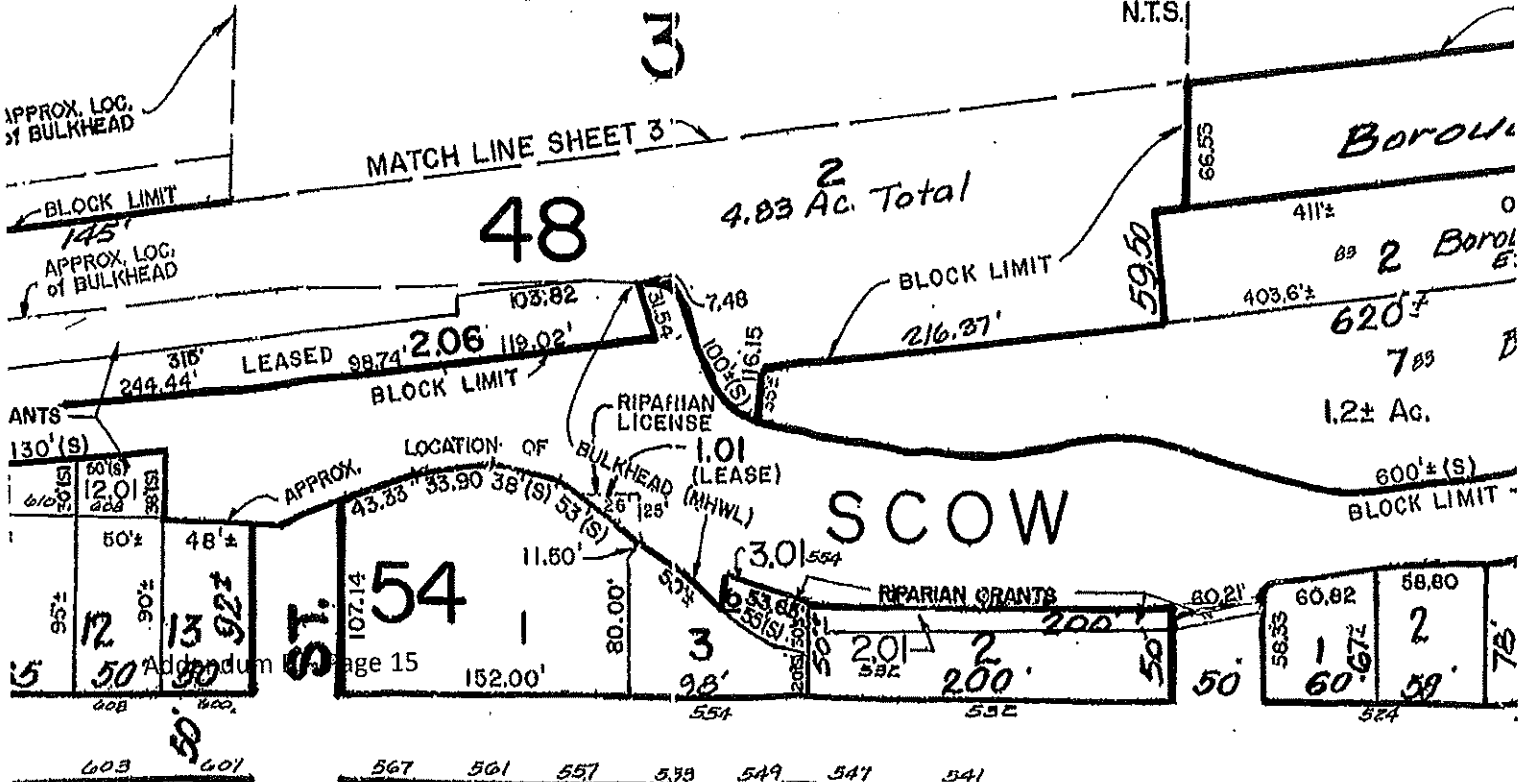
FIRST FLOOR PLAN

SECOND FLOOR PLAN

INSET "B" 680 MAIN AVE. CONDOS

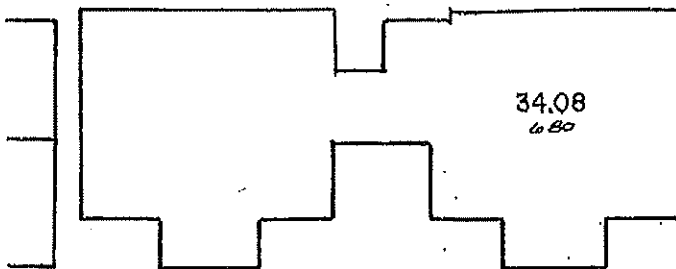
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3

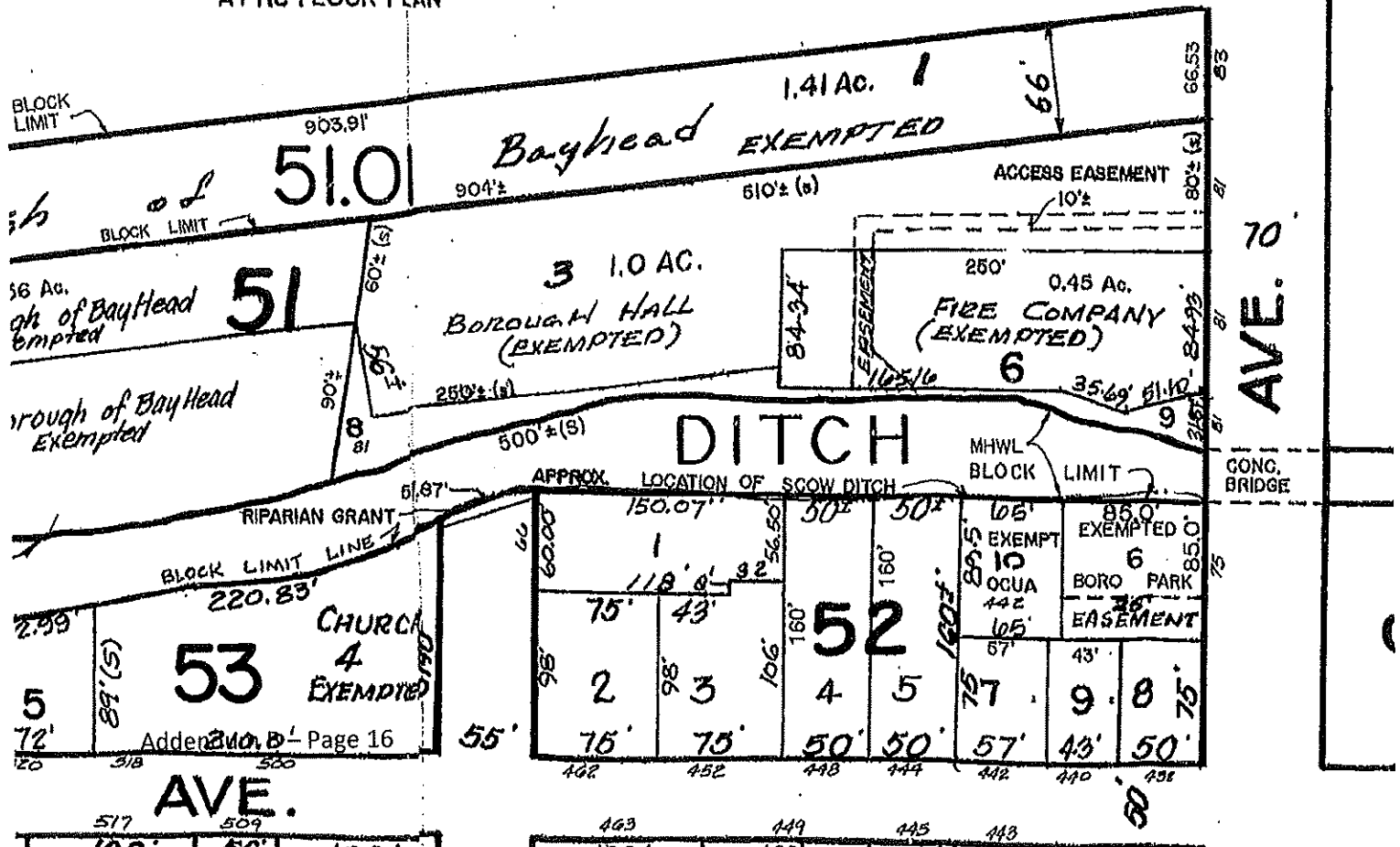


SQUARE FOOTAGE OF UNITS
680 MAIN AVE. CONDOS

BLOCK	LOT	"TOTAL" AREA
59	34.01	428 S.F.
	34.02	415 S.F.
	34.03	465 S.F.
	34.04	340 S.F.
	34.05	395 S.F.
	34.06	345 S.F.
	34.07	395 S.F.
	34.08	515 S.F.



ATTIC FLOOR PLAN



PLATE

LAKE

AVE.

WOODLAND
AVENUE

CRANBERRY
AVENUE

BLOCK
LIMIT

BLOCK LIMIT

148'±
EXEMPTED

330'±

180'±
130'
75'±
LOT 5 0.03 AC. (BOROUGH EXEMPT)
ON of SOUTH LAKE AVENUE VACATED
17/91 BY BOROUGH ORDINANCE
NO. 1991-5 (PARCEL NO. 5)

EXEMPTED BOROUGH

1993 LOCATION
of MHWL

4.01
(RIPARIAN
GRANT)

328.62'

61'±
4
0.08±A.C.

STATE OF NEW JERSEY
(EXEMPTED)

17

7

6.71 AC±

TWILIGHT

295'±(S)
310'±(S)

P/L

810'±(S)

915'±(S)

(EXEMPTED)

ROUGH OF BAYHEAD

BLOCK LIMIT

2.2± A.C.

1370'±(S)

P/L

KELLOGG MEMORIAL ISLAND

P/L

P/L

650.00'

60'±(S)
70'±(S)

255'±(S)

BOROUGH of BAY HEAD (exempt)
1.07 Ac. 5 yr. LEASE from NJDEPE

APPROX. LOCATION
MHWL 1993

LAKE

25

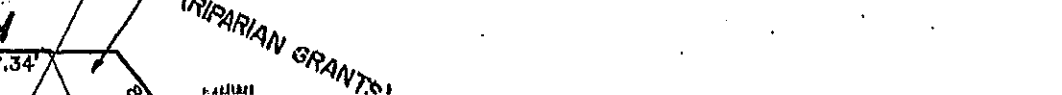
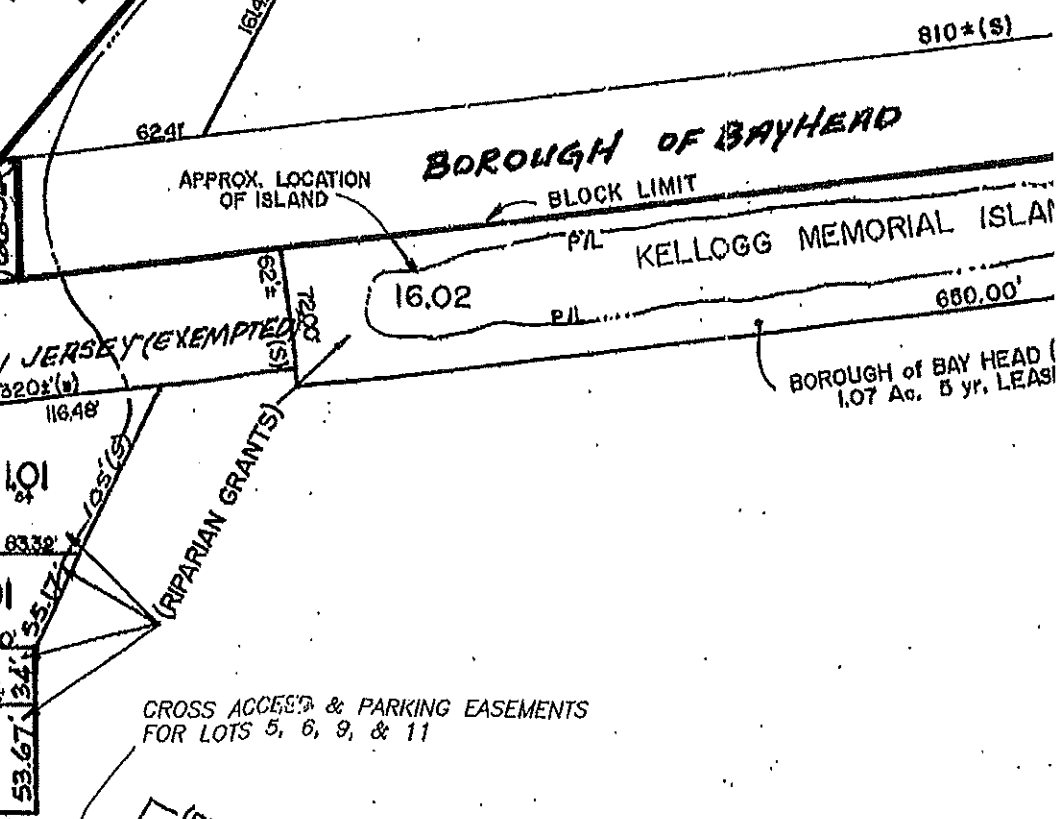
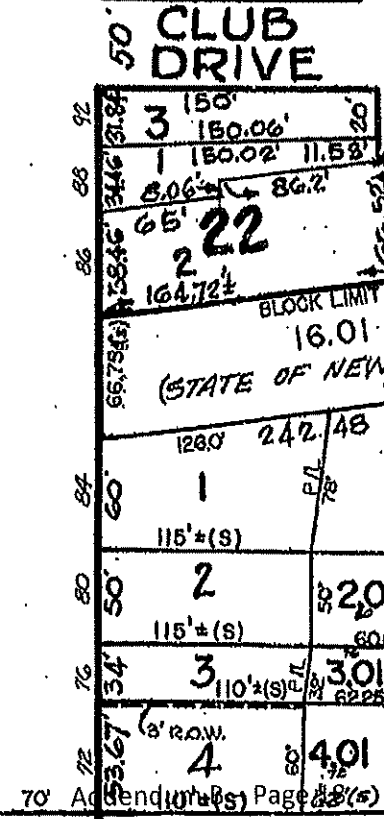
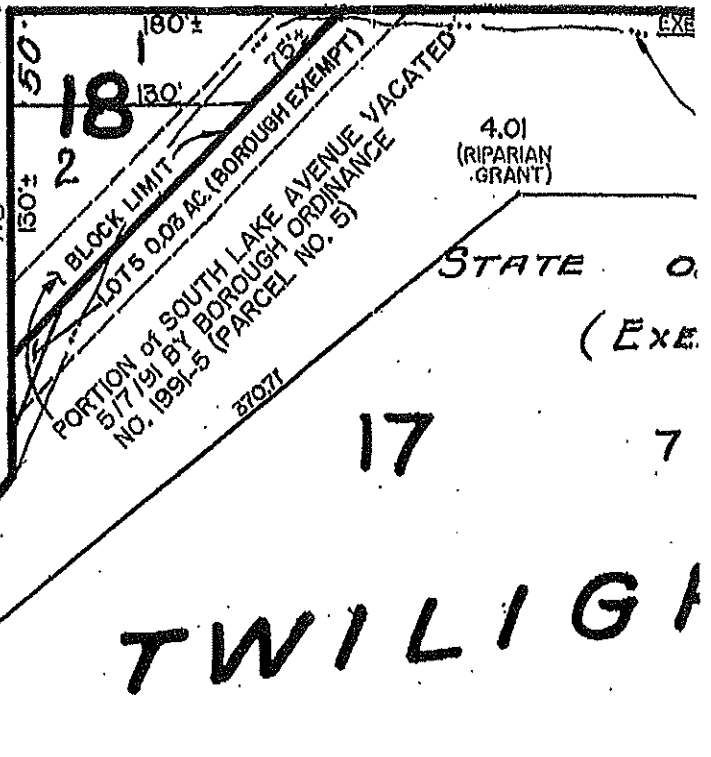
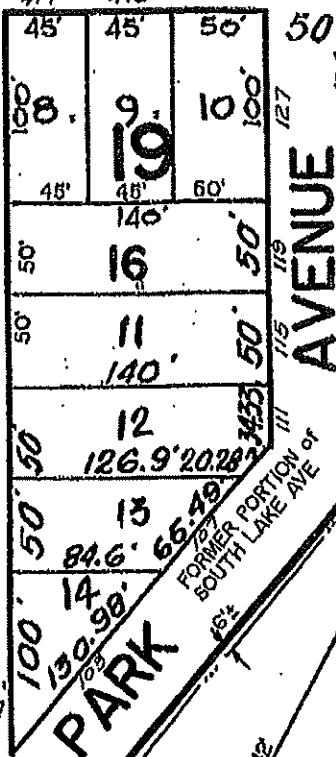
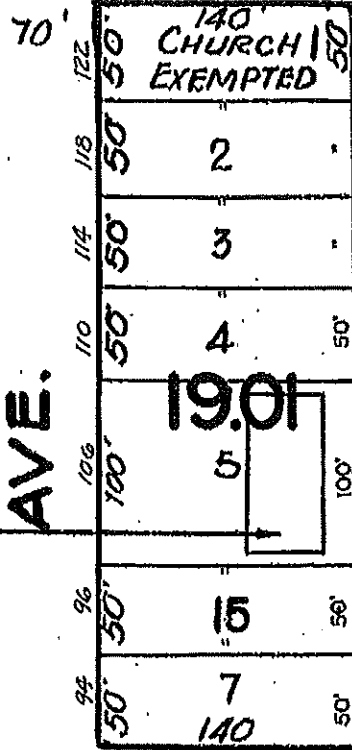
STATE OF NEW JERSEY

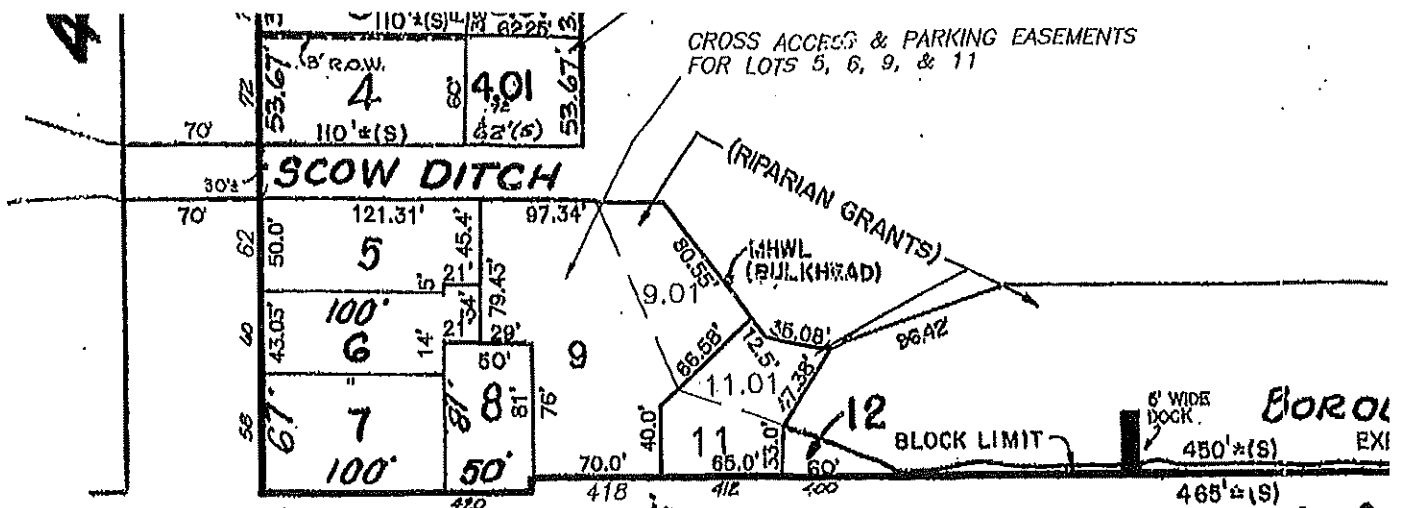
EMENTS

PLATE

WEST LAKE AVE.

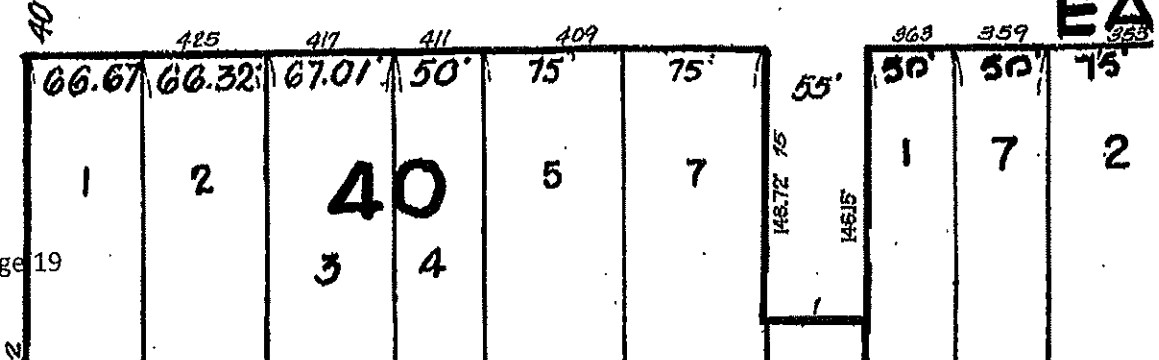
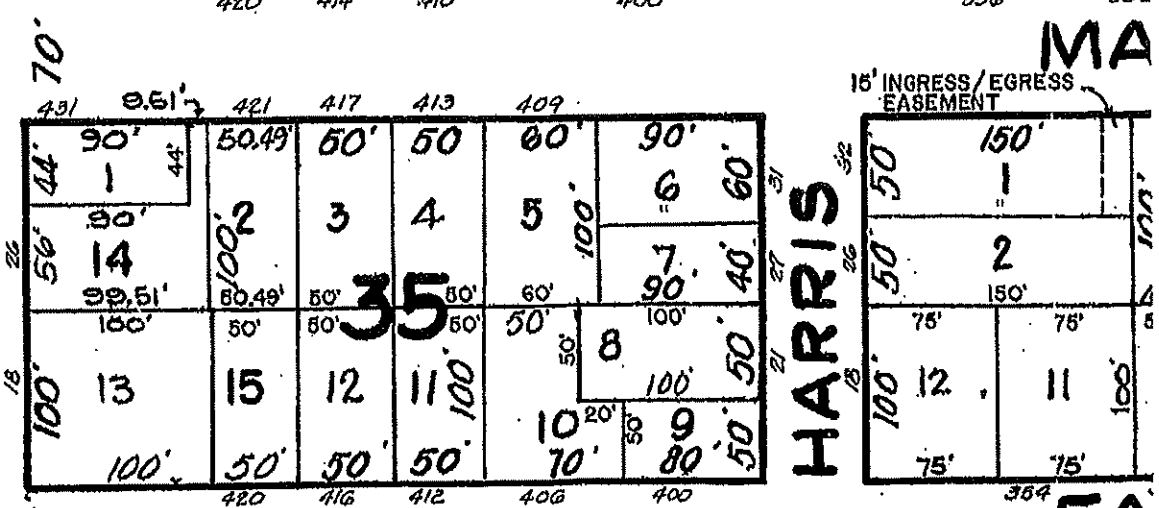
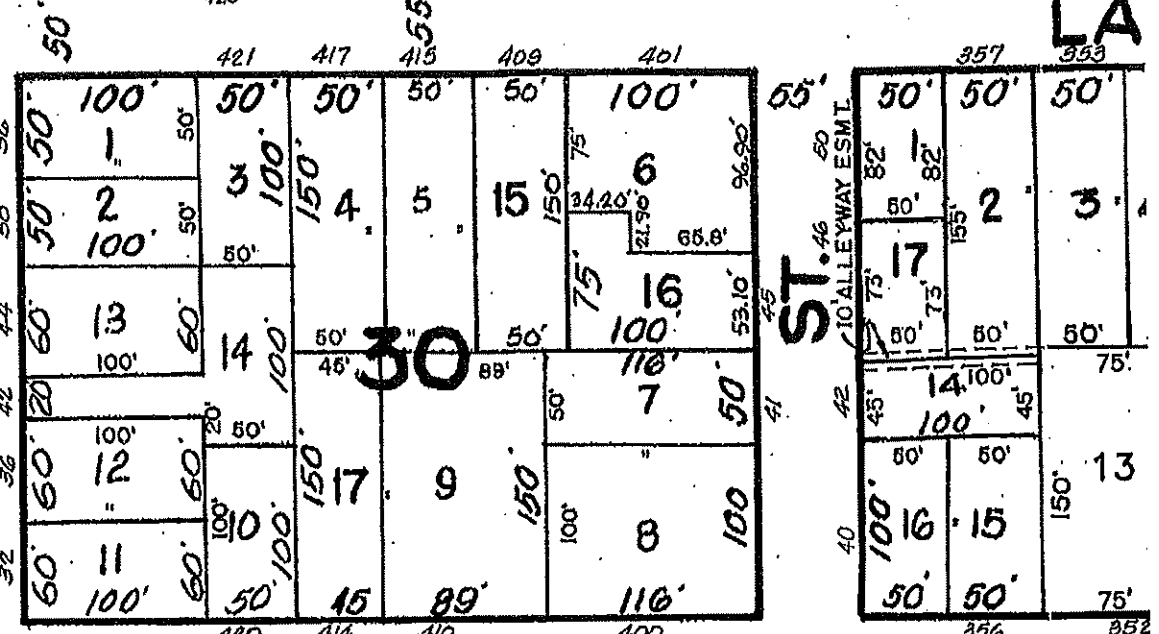
WOODLAND AVENUE





PLATE

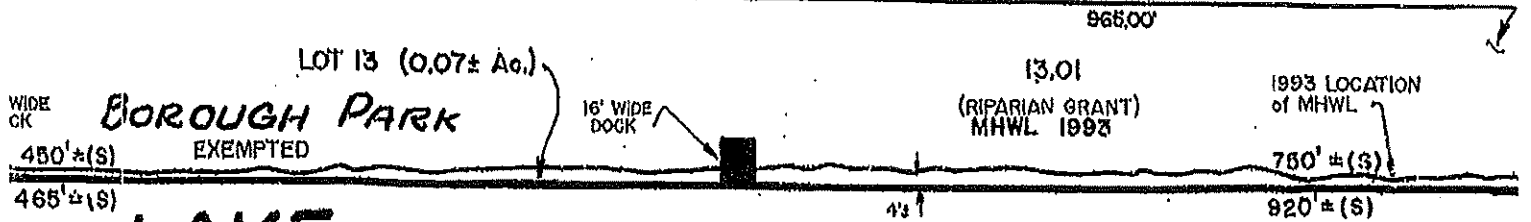
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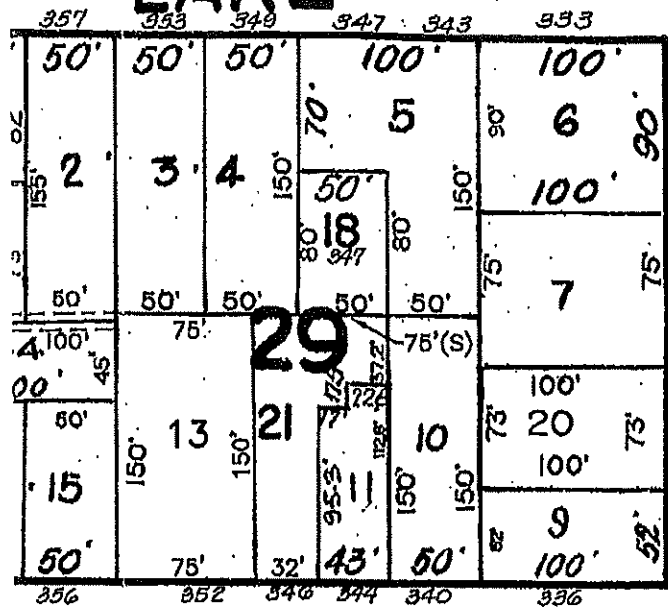
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STATE OF NEW JERSEY

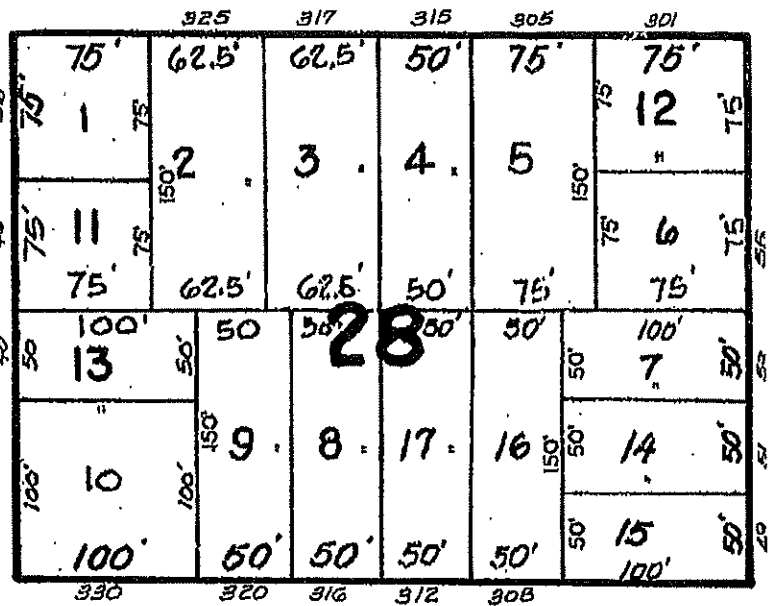
15 (EXEMPTED)
15.1± Ac.



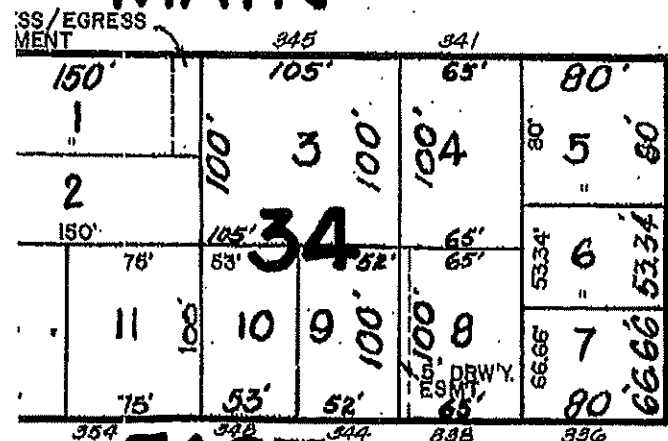
LAKE



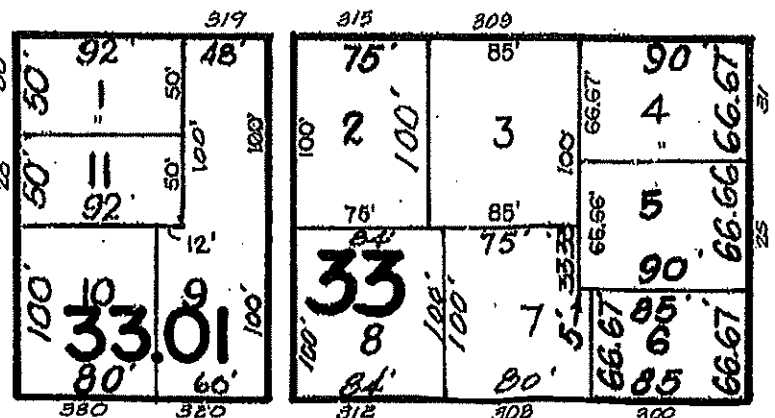
ST.



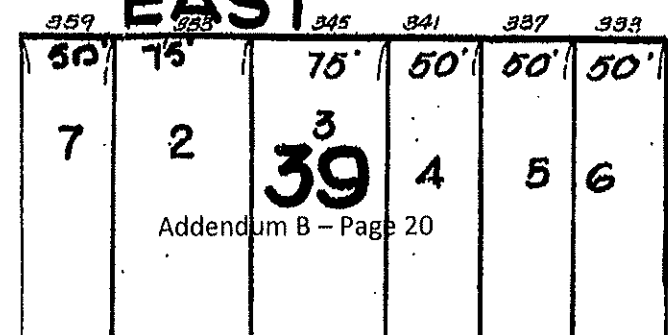
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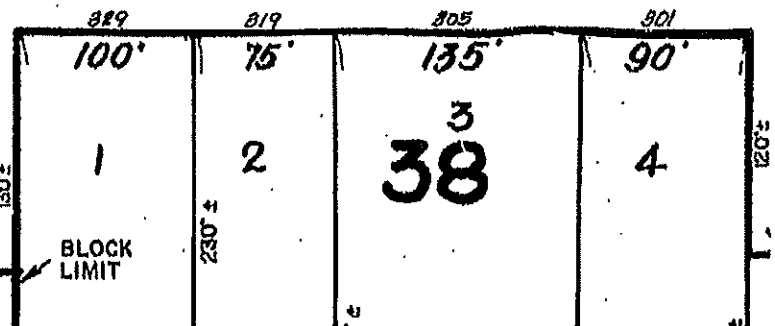
KARGE



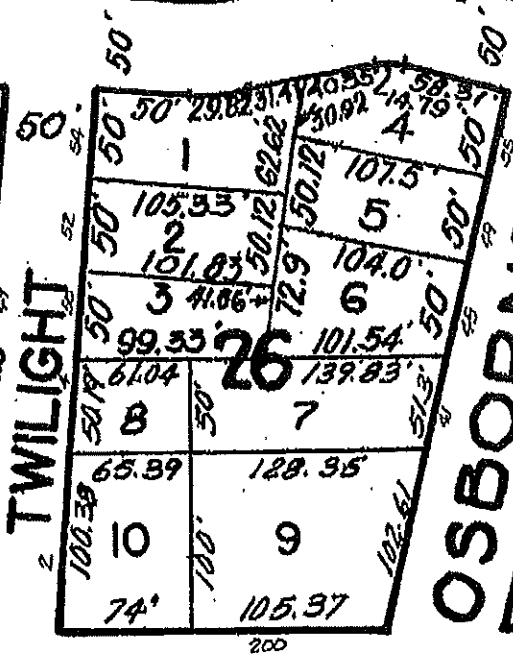
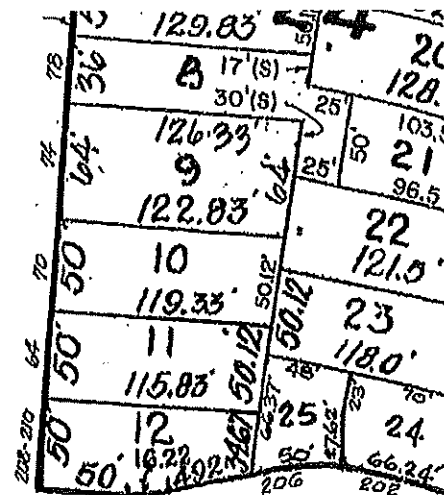
EAST



55'



BLOCK LIMIT



BOROUGH LINE

WEST LAKE

156.45'	50'	50'	50'
1	13	2	3
157.32'	(RIPARIAN GRANT) 50'	50'	50'

347.32'
HOWE PARK
47

BORO OF BAY HEAD
12
EXEMPTED

AREA 2.401 Ac.

349.94'

CLUB

111.26'	105'	50'	535'
3	21	20	24
111.87'	"	188.63'	1
4	22	194.03'	
112.48'	108'	5407'	
5	23	105.84'	43.64'
84.81'	7243'	50.407'	10.081'
114.16'	360(5)		

125'
51'
METCALFE
300.01'

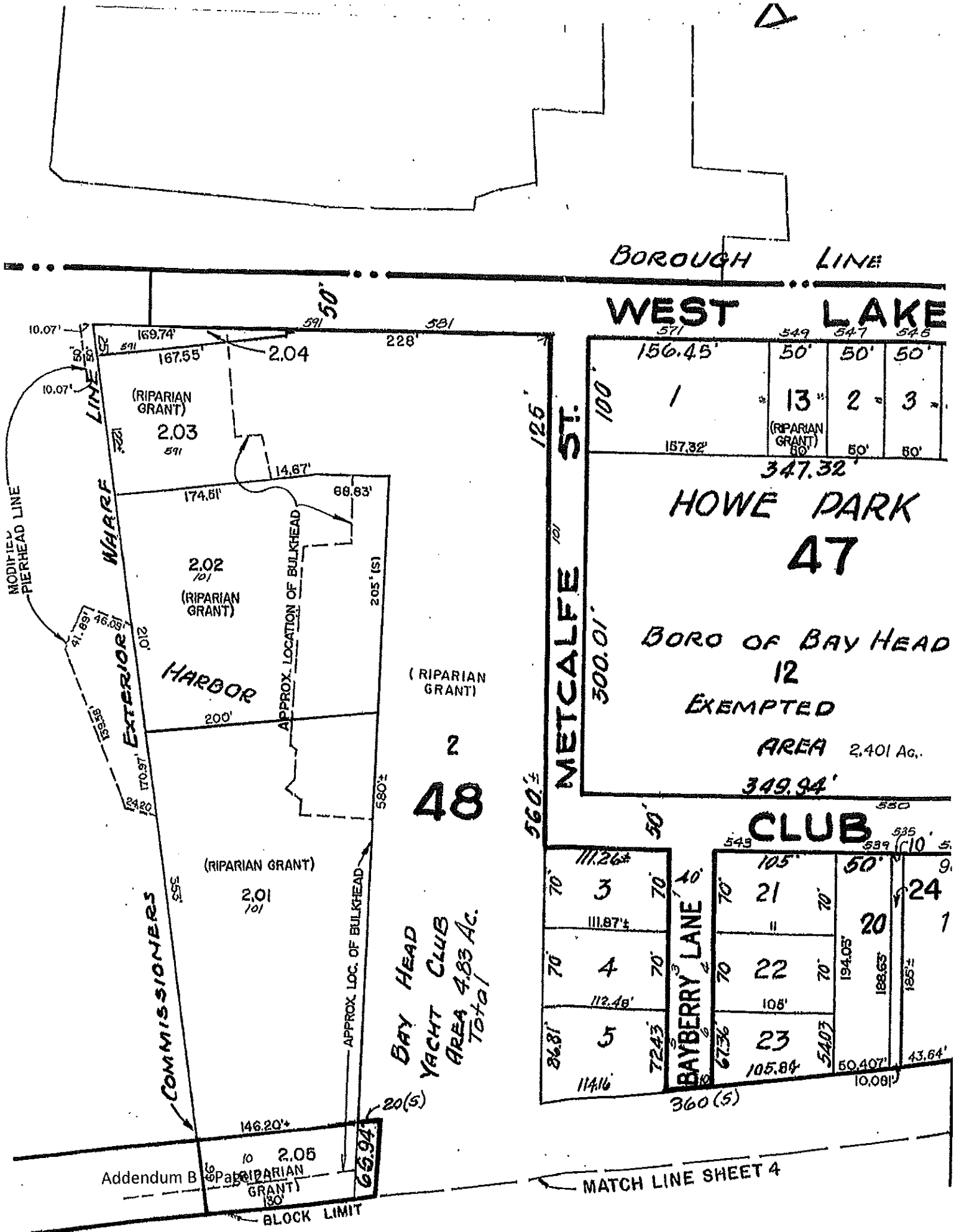
2
48

BAY HEAD
YACHT CLUB
AREA 4.83 Ac.
Total

Addendum B to (RIPARIAN GRANT) 150'

BLOCK LIMIT

MATCH LINE SHEET 4



APPENDIX 7
Sign Ordinance

ORDINANCE 2020-02

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
DESIGNATING THE BAY HEAD PUBLIC WORKS
DEPARTMENT TO INSTALL AND MAINTAIN ALL
SIGNS ASSOCIATED WITH THE MUNICIPAL PUBLIC
ACCESS PLAN.**

WHEREAS, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

WHEREAS, existing and future signage for public access is required at all public access locations identified in the Municipal Public Access Plan; and

WHEREAS, installation and maintenance of signage associated with Public Access locations associated with the Borough's Municipal Public Access Plan is a requirement of N.J.A.C. 7:7-16.9(r).

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Bay Head, County of Ocean, and State of New Jersey, as follows:

SECTION 1. The Borough of Bay Head Public Works Department is named as the entity responsible for the installation and maintenance of all signage associated with the Municipal Public Access Plan in the Borough of Bay Head.

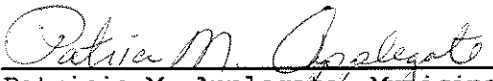
SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

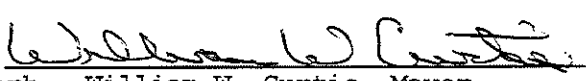
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

ATTEST:

APPROVED:



Patricia M. Applegate, Municipal Clerk


William W. Curtis, Mayor

Introduced on First Reading: February 3, 2020
Introduced on Second Reading: March 2, 2020
Approved on Second Reading: March 2, 2020

ATTEST:

APPROVED:


Patricia M. Applegate, Municipal Clerk


William W. Curtis, Mayor

Rothstein, Mandell, Strohm,
Halm & Cipriani
Counsellors at Law
150 Airport Road, #600
P.O. Box 3017
Lakewood, New Jersey 08701