

**BOROUGH OF DEAL
MONMOUTH COUNTY, NEW JERSEY**

ORDINANCE 1275

**AN ORDINANCE AMENDING SECTION 15-1.1 OF CHAPTER XV ENTITLED
*SWIMMING POOLS, TENNIS COURTS, RECREATIONAL AREAS &
FACILITIES***

WHEREAS, the Board of Commissioners have determined that it would be advisable to amend the existing Ordinance governing the portion of a swimming pool which may be located above ground level; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Deal, in the County of Monmouth, in the State of New Jersey, to amend Section 15-1.1 of Chapter XV to now read as follows:

15-1.1 *Permit Required* No swimming or bathing pool or tennis court or recreational area & facility shall be constructed, installed, maintained or remodeled unless and until the owner of, or the person in possession of, the lot on which such swimming or bathing pool or tennis court or recreational area & facility is intended to be constructed or located obtains a permit therefore from the building inspector. No swimming pool shall be located within a district zoned for business under the zoning ordinance of the Borough. No more than 50 % of the pool perimeter may be above ground level. The remaining portion of the pool perimeter shall not be erected or maintained above ground but shall be wholly at or below ground.

BE IT FURTHER RESOLVED, The Mayor and Borough Clerk / Administrator are hereby authorized and directed to take such actions as are necessary to effectuate the provisions of this Ordinance including but not limited to executing an Extinguishment of Easement in a form acceptable to the Borough Attorney.

BE IT FURTHER RESOLVED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions to adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER RESOLVED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER RESOLVED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Introduced by Commissioner Ades on September 14, 2023
Seconded by Commissioner Simhon

Roll Call: Ayes 3 ; Cohen, Ades, & Simhon

Motion to Adopt by Commissioner Ades on October 12, 2023

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon