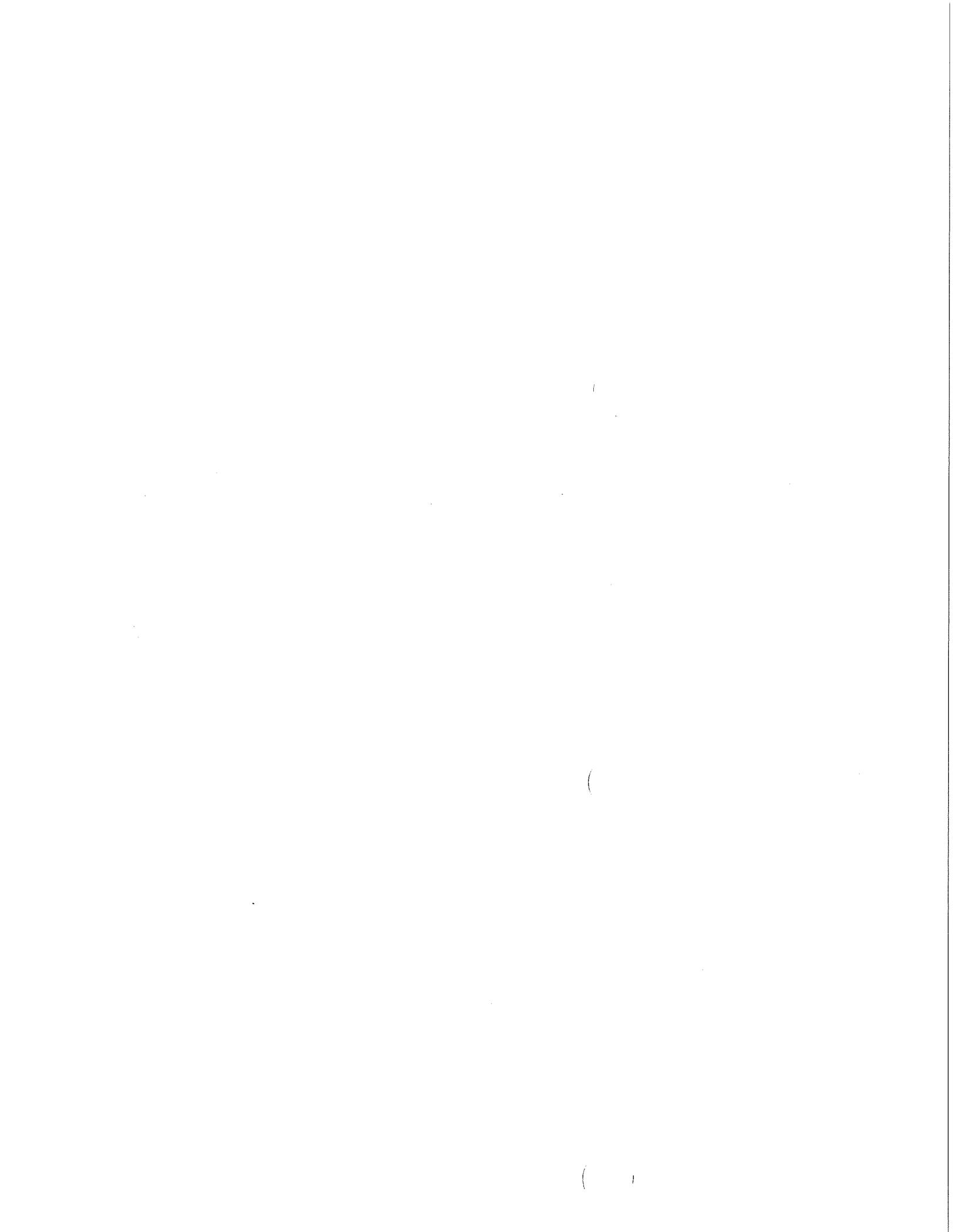


Revised General Ordinances
of the
Borough of Little Silver

COUNTY OF MONMOUTH
STATE OF NEW JERSEY

1973

CODED SYSTEMS CORPORATION
120 MAIN STREET
AVON, NEW JERSEY 07717



FILING INSTRUCTION SHEET

BOROUGH OF LITTLE SILVER

SUPPLEMENT NO. 31

Following are filing instructions for Supplement No. 31 of the Revised General Ordinances of the Borough of Little Silver. When filed, the Revision will include ordinances to March 25, 1999.

PAGE NUMBERS:

<i>Remove:</i>	<i>Insert: (Rev. Ord. Supp. 3/99)</i>
Table of Contents:	Table of Contents:
iii—iv	iii—iv.1
x.1—x.3	x.1—x.3
xi—xii	xi—xii
205—206	205—206
209—212	209—212.1
1005—1006	1005—1006
1008.1—1008.2	1008.1—1008.2
— —	1018.1
1025	1025—1027
1245—1246	1245—1246
1249—1250	1249—1250
Source:	Source:
A-1—A-2	A-1—A-2.1
A-5—A-6a	A-5—A-6
A-6.1	A-6.1—A-6.2

FILING INSTRUCTION SHEET — CONTINUED

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AVON, NEW JERSEY 07717

FILING INSTRUCTION SHEET — CONTINUED

SUPPLEMENT NO. 31

Remove:	Insert:
Index:	Index:
I-1—I-2	I-1—I-2
I-11—I-12.1	I-11—I-12
I-13—I-14	I-13—I-14.1
I-17—I-18	I-17—I-18.1

To assure that your copy of the Revision is current, the pages comprising Supplement No. 31 that you have inserted in the body of the Revision and which were amended carry the symbol, "Rev. Ord. Supp. 3/99".

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FILING INSTRUCTION SHEET

BOROUGH OF LITTLE SILVER

SUPPLEMENT NO. 30

Following are filing instructions for Supplement No. 30 of the Revised General Ordinances of the Borough of Little Silver. When filed, the Revision will include ordinances to March 3, 1997.

PAGE NUMBERS:

Remove:

Table of Contents:
ix—x

803—804.1
1002.1—1002.2
1008.1—1010
1226.1—1226.2
2304.1

Source:
A-5—A-6
A-9—A-10

Index:
I-5—I-6

Insert: (Rev. Ord. Supp. 3/97)

Table of Contents:
ix—x

803—804.1
1002.1—1002.2
1008.1—1010
1226.1—1226.2
2304.1

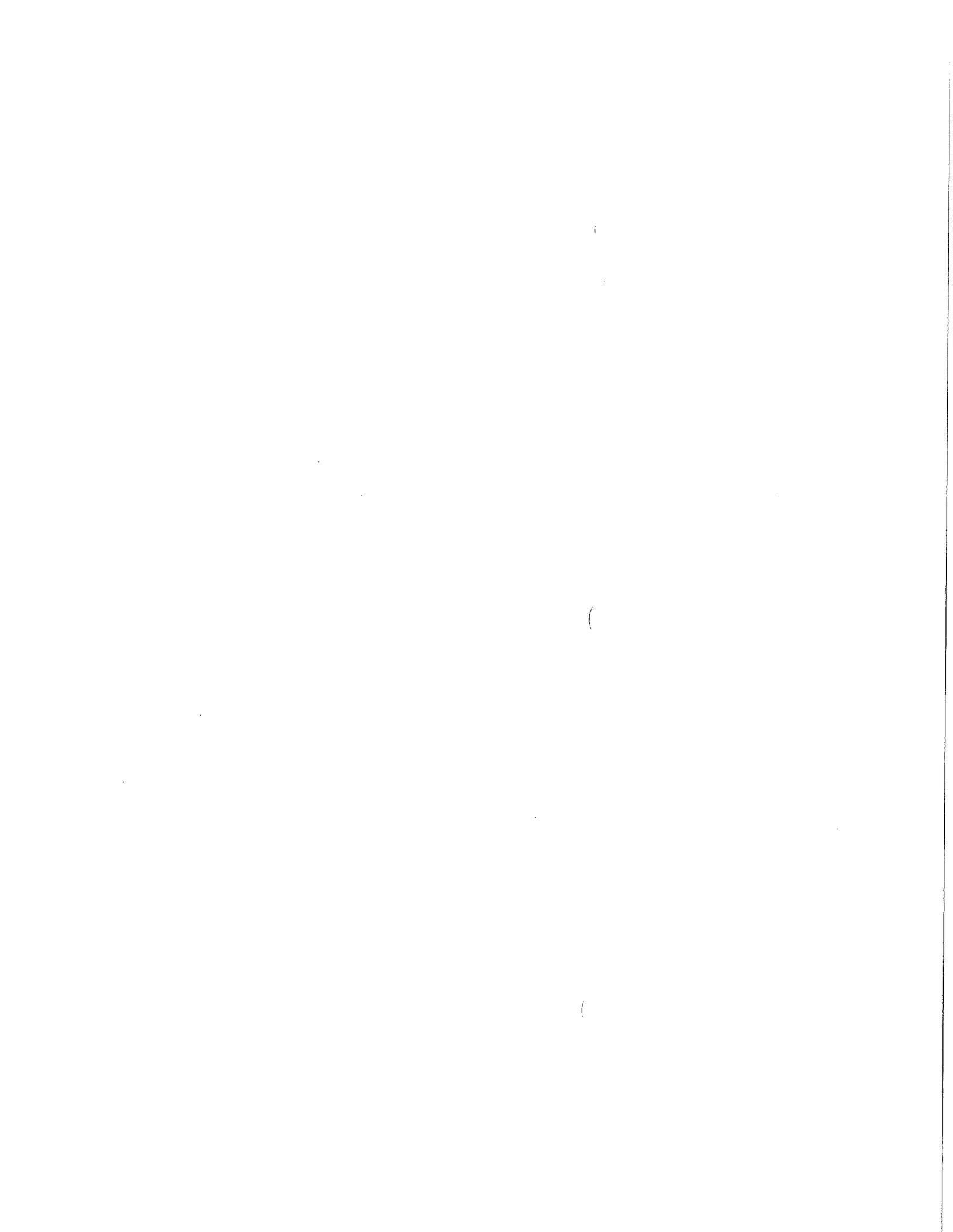
Source:
A-5—A-6a
A-9—A-10

Index:
I-5—I-6

To assure that your copy of the Revision is current, the pages comprising Supplement No. 30 that you have inserted in the body of the Revision and which were amended carry the symbol, "Rev. Ord. Supp. 3/97".

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FILING INSTRUCTION SHEET

BOROUGH OF LITTLE SILVER

SUPPLEMENT NO. 29

Following are filing instructions for Supplement No. 29 of the Revised General Ordinances of the Borough of Little Silver. When filed, the Revision will include ordinances to May 6, 1996.

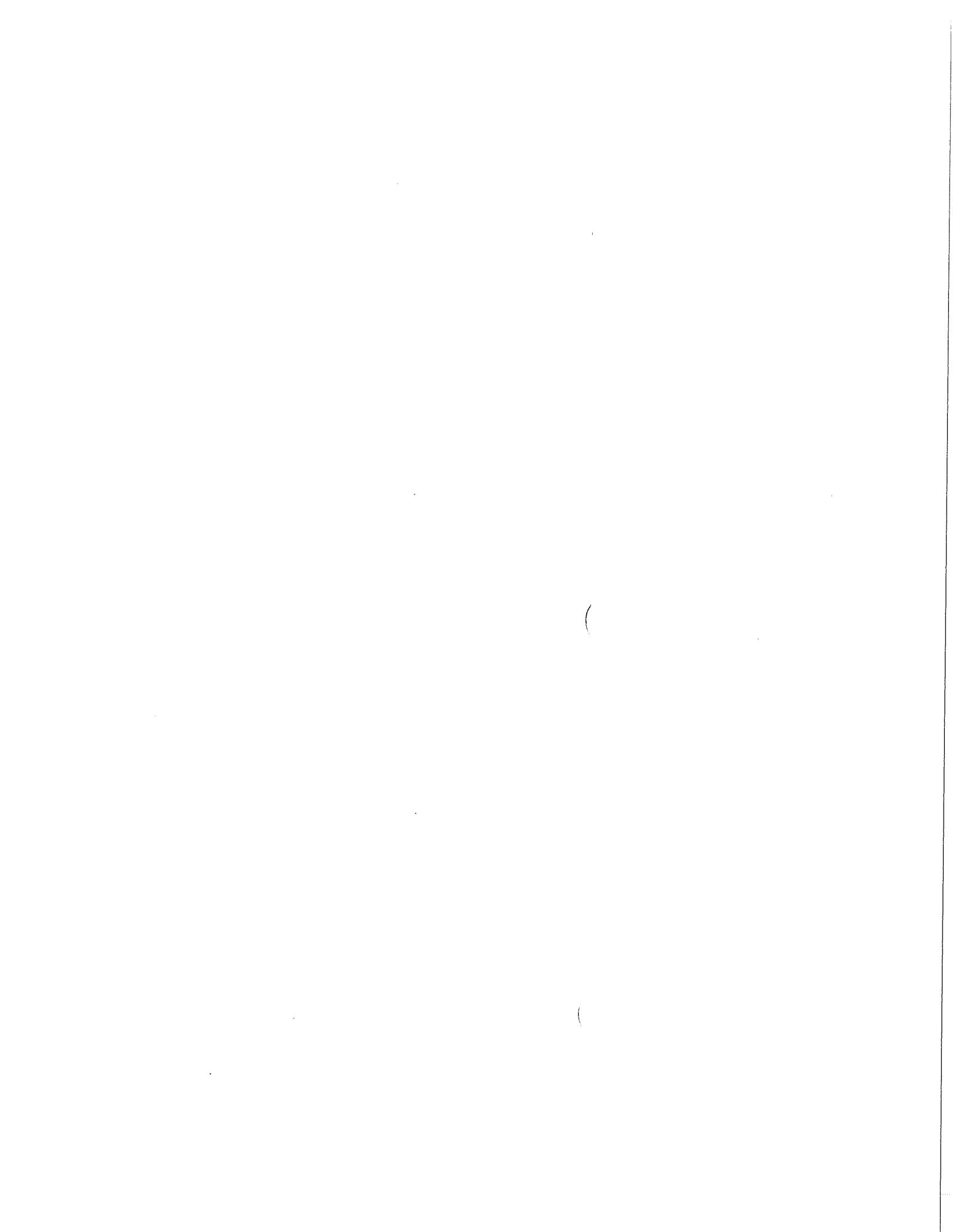
PAGE NUMBERS:

<i>Remove:</i>	<i>Insert: (Rev. Ord. Supp. 5/96)</i>
Table of Contents:	Table of Contents:
v—vi	v—vi.1
ix—x	ix—x
223	223—224
609—610	609—610
1008.1	1008.1
1010.1—1010.2	1010.1—1010.2
1501—1502	1501—1502
Source:	Source:
A-1—A-6	A-1—A-6
Index:	Index:
I-1—I-2	I-1—I-2.1
I-17—I-18	I-17—I-18

To assure that your copy of the Revision is current, the pages comprising Supplement No. 29 that you have inserted in the body of the Revision and which were amended carry the symbol, "Rev. Ord. Supp. 5/96".

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FILING INSTRUCTION SHEET

BOROUGH OF LITTLE SILVER

SUPPLEMENT NO. 28

Following are filing instructions for Supplement No. 28 of the Revised General Ordinances of the Borough of Little Silver. When filed, the Revision will include ordinances to September 5, 1995.

PAGE NUMBERS:

<i>Remove:</i>	<i>Insert: (Rev. Ord. Supp. 9/95)</i>
Table of Contents: viii.1—viii.2 x.1—x.3	Table of Contents: viii.1—viii.2 x.1—x.3
517—518 —	517—518.1 527
1002.1—1002.2	1002.1—1002.2
1005—1006	1005—1006
1009—1010	1009—1010
1015—1016	1015—1016
1023	1023—1025
1231—1234	1231—1234
1245—1248	1245—1248.1
2304.1	2304.1
Source: A-3—A-6.1 A-9	Source: A-3—A-6.1 A-9—A-10

FILING INSTRUCTION SHEET—CONTINUED

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FILING INSTRUCTION SHEET—CONTINUED

SUPPLEMENT NO. 28

Remove:

Index:

I-3—I-6.1

I-9—I-12

I-14.1—I-19

Insert:

Index:

I-3—I-6.1

I-9—I-12.1

I-15—I-19

To assure that your copy of the Revision is current, the pages comprising Supplement No. 28 that you have inserted in the body of the Revision and which were amended carry the symbol, "Rev. Ord. Supp. 9/95".

FILE THIS SHEET IN FRONT OF BOOK

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FILING INSTRUCTION SHEET

BOROUGH OF LITTLE SILVER

SUPPLEMENT NO. 27

Following are filing instructions for Supplement No. 27 of the Revised General Ordinances of the Borough of Little Silver. When filed, the Revision will include ordinances to February 22, 1994.

PAGE NUMBERS:

Remove:

Table of Contents:

v—viii
xi—xii.1

301—302
519—520
523
1002.1—1002.2
1241—1242
1301—1302
2301—2302

Insert: (Rev. Ord. Supp. 2/94)

Table of Contents:

v—viii.3
xi—xii.1

301—302.2
519—520.1
523—526
1002.1—1002.2
1241—1250
1301—1302.1
2301—2302.1

FILING INSTRUCTION SHEET—CONTINUED

CODED SYSTEMS CORPORATION
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FILING INSTRUCTION SHEET—CONTINUED

SUPPLEMENT NO. 27

Sources;
A-1—A-6.1
A-9

Sources:
A-1—A-6.1
A-9

Index:
I-1—I-6
I-11—I-14

Index:
I-1—I-6.1
I-11—I-14.1

To assure that your copy of the Revision is current, the pages comprising Supplement No. 27 that you have inserted in the body of the Revision and which were amended carry the symbol, "Rev. Ord. Supp. 2/94."

FILE THIS SHEET IN FRONT OF BOOK

CODED SYSTEMS CORPORATION
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AVON, NEW JERSEY 07717

Revised General Ordinances
of the
BOROUGH OF LITTLE SILVER
in the
COUNTY OF MONMOUTH
STATE OF NEW JERSEY
1973

CHARLES F. RELL
Mayor

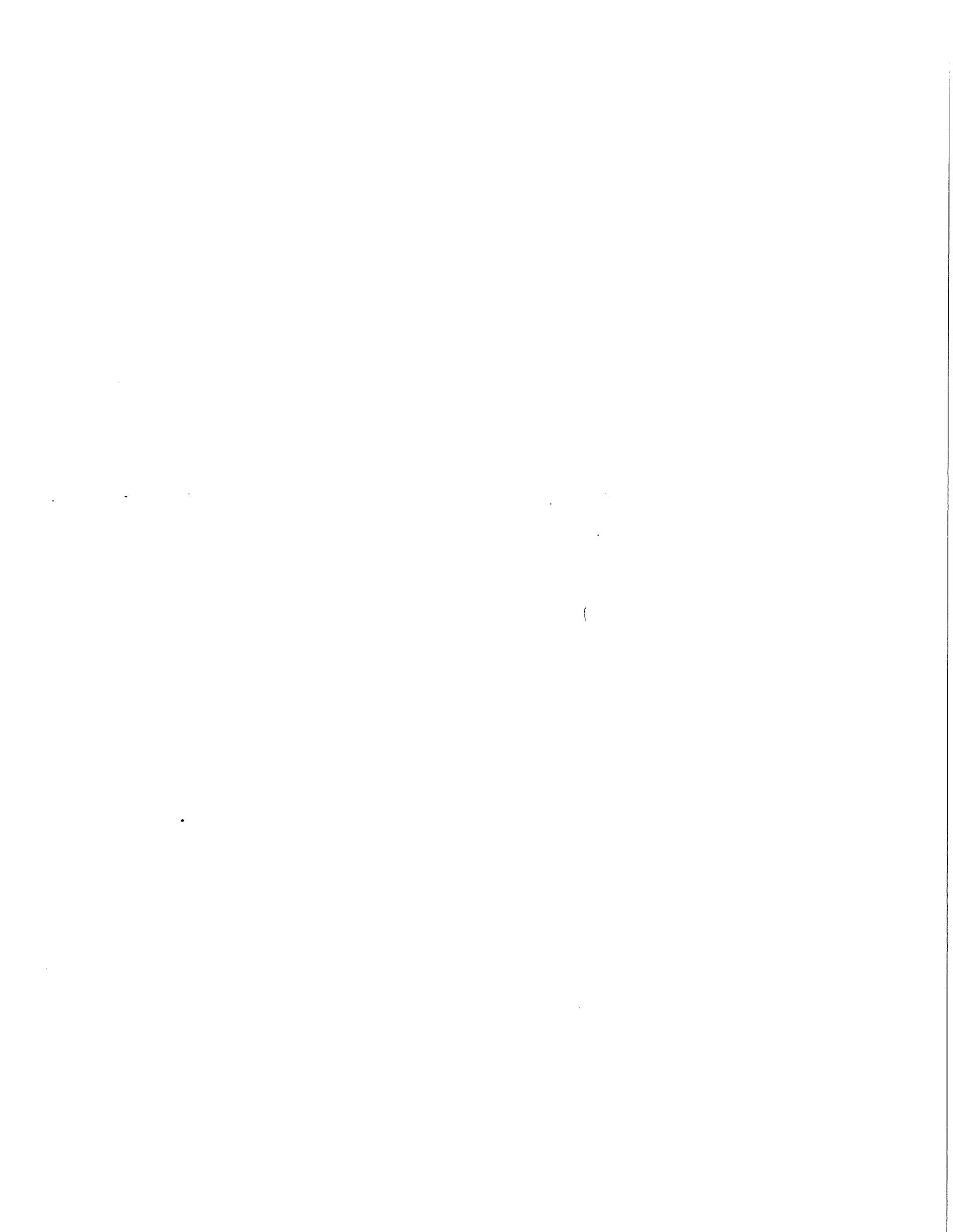
STEPHEN G. GREENWOOD
Clerk/Administrator

WILLIAM R. BLAIR, JR.
Borough Attorney

Borough Council

ANTHONY T. BRUNO
MARC F. DENTON
ROBERT B. HALLORAN
GRANDIN W. SCHENCK
HAROLD A. STEINER, III
WILLIAM E. TREFURT

CODED SYSTEMS CORPORATION
120 MAIN STREET
AVON, NEW JERSEY 07717



Borough of Little Silver



50th Anniversary

CLERK'S CERTIFICATE

I, Stephen G. Greenwood, Borough Clerk of the Borough of Little Silver, County of Monmouth, State of New Jersey, do hereby certify that the annexed ordinance adopting the "Revised General Ordinances of the Borough of Little Silver, 1973," adopted December 17, 1973, has been compared by me with the original minutes as officially recorded in my office, and is a true and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Borough of Little Silver this day of , 19

Stephen G. Greenwood, *Borough Clerk*

AN ORDINANCE ADOPTING AND ENACTING
THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF LITTLE SILVER, 1973.

BE IT ORDAINED by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey as follows:

Section 1. The revision of ordinances, consisting of Chapters I through XVII, designated as the "Revised General Ordinances of the Borough of Little Silver, 1973," being a revision of all the general and permanent ordinances of the Borough of Little Silver, with certain exceptions described below is hereby adopted and enacted.

Section 2. The revision shall supersede and repeal all the general and permanent ordinances of the Borough of Little Silver adopted prior to June 18, 1973.

Section 3. The effect of proposed changes contained in the revision is as follows:

CHAPTER I – *GENERAL*. Chapter I is new. It contains general definitions and rules of construction that are intended to provide uniform interpretation and construction of general terms used throughout the revision.

CHAPTER V – *POLICE REGULATIONS*. Section 5-2 provides regulations prohibiting loitering. In section 5-11, a permit is required for exhibitions, application procedures established, and the responsibilities of the person holding the exhibition set forth. Section 5-13 establishes a general penalty clause applicable to the entire revision. It provides that the maximum statutory penalty for violation of an ordinance shall apply to any violation of any provision of the revision or other ordinance of the borough for which no specific lesser maximum penalty has been provided. This section sets forth the maximum penalty that is now provided by law for the violation of ordinances and eliminates the need to restate the penalty clause each time a new regulatory ordinance is adopted.

CHAPTER X – *TRAFFIC*. Subsection 10-3.2 provides regulation for no parking during state of emergency. Throughout the revision there has been substantial reorganization and editing of the source ordinances. Except as described above in this section, these changes do not effect any substantive changes from the source ordinances. In some cases provisions

of the source ordinances have not been included in the revision either because they have been expressly or impliedly repealed by later ordinances, are obsolete or no longer apply in the Borough of Little Silver.

Section 4. The repeal provided for in Section 2 of this ordinance shall not affect:

- a. Any offense or act committed or done prior to its adoption, or any contract right of any person or of the Borough of Little Silver.
- b. Any ordinance or resolution promising or guaranteeing the payment of money, or authorizing the issuance of any bonds, or any other obligation assumed by the Borough of Little Silver.
- c. Any right of franchise of any person.
- d. Any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening or vacating any street or public way, or accepting or dedicating any plot or subdivision.
- e. Any appropriation ordinance or ordinances providing for the payment of salaries and employment benefits.
- f. Any other special ordinance of the borough or any resolution.
- g. Traffic ordinances pending approval of the Revised Chapter by the State Department of Transportation.
- h. Ordinances adopted by the Board of Health.
- i. Any prosecution, indictment, action suit or other proceeding or any judgment rendered prior to the effective date of this ordinance pursuant to any legislative provision of the borough.
- j. This repeal shall not be construed to revive any ordinance, or part thereof, that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 5. All additions or amendments to the revision, when so designated, shall be deemed to be incorporated in the revision so that reference to the "Revised General Ordinances of the Borough of Little Silver, 1973, as amended," as well as reference to the "revision," shall be understood and intended to include such additions and amendments.

Section 6. A copy of the revision shall be kept on file in the office of the borough clerk, preserved in looseleaf form, or in such other form as the borough clerk may consider most expedient. This copy of the revision shall be available to all persons desiring to examine the same and shall be considered the official copy of the revision.

Section 7. In case of amendment to any section of the revision, or the adoption of a new section for which a penalty is not provided, the general penalty section of the revision shall apply.

Section 8. No person shall insert or delete any pages or make any other changes in any copy of the revision for the purpose of misrepresenting the contents of the revision. For the purpose of invoking penalties under this section, this ordinance shall be deemed to be part of the revision.

Section 9. This ordinance shall take effect in accordance with law.

FIRST READING: December 3, 1973
FINAL PASSAGE: December 17, 1973

ATTEST: Stephen G. Greenwood

**AN ORDINANCE OF THE BOARD OF HEALTH
OF THE BOROUGH OF LITTLE SILVER
ADOPTING AND ENACTING THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF LITTLE SILVER, 1973.**

BE IT ORDAINED by the Board of Health of the Borough of Little Silver, County of Monmouth and State of New Jersey, as follows:

Section 1. That the compilation, revision and codification of the Board of Health ordinances consisting of Chapters BH-I to BH-VII, designated as the "Revised General Ordinances of the Board of Health of the Borough of Little Silver, 1973," being a compilation, revision and codification of all the general and permanent ordinances of the Board of Health of the Borough of Little Silver, with certain exceptions described below, is hereby adopted and enacted.

Section 2. The revision shall supersede and repeal all of the general and permanent ordinances of the Board of Health of the Borough of Little Silver prior to June 18, 1973.

Section 3. The effect of proposed changes contained in the revision is as follows:

CHAPTER BH-I – GENERAL. This chapter is new and contains general definitions and rules of construction that are intended to provide uniform construction and interpretation of general terms used throughout the revision, as well as for all other ordinances of the Board of Health of the Borough of Little Silver. This chapter also contains a severability clause, a penalty clause, and provisions on separate violations, and collection of fees and penalties.

CHAPTER BH-II – PLUMBING AND DRAINAGE CODE. This chapter codifies existing ordinances, without change.

CHAPTER BH-III – PUBLIC HEALTH NUISANCE CODE. This chapter codifies existing ordinances, without change.

CHAPTER BH-IV – RETAIL FOOD HANDLING ESTABLISHMENT CODE. This chapter codifies existing ordinances, without change.

CHAPTER BH-V – INDIVIDUAL SEWAGE DISPOSAL SYSTEM CODE. This chapter codifies existing ordinances, without change.

CHAPTER BH-VI – SEPTIC TANKS. This chapter codifies existing ordinances, without change.

CHAPTER BH-VII – AIR POLLUTION CONTROL CODE. This chapter codifies existing ordinances, without change.

Section 4. The repeal provided for in Section 2 of this ordinance shall not affect:

a. Any offense or act done or committed prior to its adoption or any contract right of any person or of the Board of Health of the Borough of Little Silver.

b. This repeal shall not be construed to revive any ordinance or part thereof, which has been repealed by a subsequent ordinance, which has been repealed by this ordinance.

Section 5. All additions or amendments to the revision, when so designated, shall be deemed to be incorporated in the revision so that reference to the "Revised General Ordinances of the Board of Health of the Borough of Little Silver, 1973, as amended," as well as reference to the "Board of Health Revision" shall be understood and intended to include such additions and amendments.

Section 6. A copy of the revision shall be kept on file in the offices of the borough clerk and the secretary of the Board of Health, preserved in looseleaf form or in such other form as the borough clerk or the secretary of the Board of Health may consider most expedient. That copy of the revision shall be available to all persons desiring to examine the same and shall be considered the official copy of the revision.

Section 7. In case of amendment to any section of the revision, or the adoption of new sections for which a penalty is not provided, the general penalty section of the revision pertaining to the Board of Health, Section BH:1-2, shall apply.

Section 8. No person shall insert or delete any pages or make any other changes in any copy of this revision for the purpose of misrepresenting the contents of the revision. For the purpose of invoking penalties under this section, this ordinance shall be deemed to be a part of the revision.

Section 9. This ordinance shall take effect 30 days after first publication in accordance with law.

Final Passage: June 3, 1974.

INTRODUCTION

The Borough of Little Silver, incorporated in 1923, is governed by the borough form of government provided by New Jersey law. Over the years the borough adopted ordinances as need arose, many of which, with the passage of time and changing need, became outdated.

A progressively minded borough council, seeing the need to update the borough ordinances, contracted with the revisors to prepare a general revision. The present code resulted – a single comprehensive integrated text which eliminates obsolescence and the overlaps and duplication that occur with the passage of time, and which restates the ordinances in a clear, uniform style. At the same time, the revision project provided an opportunity to make the first planned overview of all the ordinances, revealing many which needed to be changed or supplemented. The ordinance preceding this introduction, which adopts the revision by reference, lists these changes.

Particular attention was paid to redrafting, revising and supplementing those ordinances of the borough which dealt with the subject of administration. These, together with selections from relevant statutory materials, descriptions of actual administrative practices in the borough and material setting forth sound principles of administrative practice and procedure, were combined in the form of an administrative code.

The revision provides an overall framework of law for all general and permanent ordinances of the borough. The table of contents indicates that the revision is divided into major subject categories by chapter. Each chapter is divided into sections and subsections which contain headings describing the content or purpose of the section or subsection. The headings are not part of the law, but are merely convenient references. In most cases a regulation can be found by consulting the table of contents. As further aid, an index is provided at the end of the code.

Since the code has been adopted by ordinance, it is now itself a single ordinance replacing all former sources. The revisors have nevertheless prepared a table of source sections so that any student of the municipality's law may find the source ordinance for each section of the new code. This table is located at the back of the code, immediately preceding the index. At the front of the code is a certification page which, when signed by the clerk, makes the code an official copy which may be introduced in evidence as the law of the borough.

The outline of the code in chapters, sections and subsections, as well as the page numbering, has been designed to provide a convenient system for supplementing this code as future ordinances are enacted.

The revisors wish to express particular thanks for the outstanding cooperation of Charles F. Rell, Mayor; Stephen G. Greenwood, Administrator/Clerk; William R. Blair, Jr., Borough Attorney; Borough Councilmen Anthony T. Bruno, Marc F. Denton, Robert B. Halloran, Grandin W. Schenck, Harold A. Steiner, III and William E. Trefurt; and former Councilmen Joseph P. McCarthy, Jr., Lawrence F. Mikhon and John P. Van Wagner.

NATIONAL CODE CONSULTANTS
Leonard Etz, President