

AGENDA

WJL

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE

WORK SESSION
STARTING AT 4:30 PM

TUESDAY August 3, 2021 4:30 p.m.

A & F REPORT Councilmember Krafczek

Discussion: Sidewalk repair Ordinance
Possible INTRO August 17, 2021

Engineer –

Construction & Zoning

Tax Collector -

Tax Assessor

Borough Clerk

CFO -

Administrator -

Mayor –

PUBLIC WORKS REPORT – Councilmember Parzych –

UTILITY REPORT – Councilmember Moore –

DISCUSSION:

Merchants Day Sidewalk Sale Application – Chamber

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY**

ORDINANCE No.

**ORDINANCE AMENDING CHAPTER 475 OF THE CODE OF THE BOROUGH OF
STONE HARBOR ENTITLED "STREETS AND SIDEWALKS" TO ESTABLISH A
PERMITTING PROCESS FOR THE PURPOSE OF LIMITED SIZE SIDEWALK AND
CURB REPAIRS, REPLACEMENT AND RECONSTRUCTION THEREOF**

WHEREAS, Chapter 475 of the Code of the Borough of Stone Harbor regulates
Streets and Sidewalks within the Borough of Stone Harbor; and

WHEREAS, the Borough of Stone Harbor has determined to revise its permit
requirements relating to the repair, replacement and reconstruction of sidewalks and curbs,
within the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of
Stone Harbor, Cape May County, New Jersey, as follows:

SECTION 1. Section 475-3. Permit required. is amended (added text underlined and deleted
text is ~~stricken~~) as follows:

Article II. Street Openings and Excavations

475-3. Permit required.

It shall be unlawful to dig, excavate, open or in any manner interfere with or disturb within the
right-of- way of any municipal street within the Borough of Stone Harbor for any purpose
whatsoever without first securing a permit therefor as hereinafter provided. For minor repairs, 5
linear feet of curbing; 48 square feet of sidewalk, or less, see Chapter 475-12. For major
replacement, reconstruction, or repair, anything over minor, see Chapter 475-3.

SECTION 2. Section 475-4. Application; fee.: letter "B" only is amended (added text
underlined and deleted text is ~~stricken~~) as follows:

475-4. Application; fee.

- B. An administrative application fee of \$250 and construction inspection fee of \$1,000 shall be
paid to the Borough Zoning Office prior to the issuance of the permit for all major excavations
of less more than five linear feet of curbing or 48 square feet of sidewalk or equal to six square

yards. If said area to be opened, disturbed, or undermined exceeds six square yards, the additional yardage shall be classified as excess yardage, and an additional fee shall be due and payable by the applicant for all yardage in excess of six square yards at a rate of \$10 per square yard. For minor repairs, 5 linear feet of curbing; 48 square feet of sidewalk, or less see Chapter 475-12.

SECTION 3. Section 475-12. Permit required; fee. is amended (added text underlined and deleted text is ~~stricken~~) as follows:

Article III. Sidewalks and Curbs

475-12. Minor Sidewalk Repair Permit required; fee.

Before any minor construction work of 5 linear feet of curbing; 48 square feet of sidewalk, or less is undertaken a permit must be obtained from the Construction Official, who is hereby authorized to issue the same upon receipt of a fee of \$1002 for each permit, provided that any such applicant has filed with the Construction Official a plan of construction and has obtained the required lines and grades from the Borough Engineer or has given the Construction Official satisfactory assurance that the lines and grades will be obtained and followed. For major repairs/reconstruction, anything over minor, see Chapter 475-3.

For minor repairs the Construction Official shall be authorized and empowered to conduct inspections. Whether the Borough Engineer is to review a minor sidewalk permit is in the sole discretion of the Construction Official.

Nothing in this section/chapter relieves the responsibility to call before one digs, all applicants for a permit under this section shall be required to follow notice requirements pursuant to N.J.S.A. 48:2-82.

SECTION 4. Section 475-14. Liability of contiguous land owner and notice to repair.: letter "A" only, is amended (added text underlined and deleted text is ~~stricken~~) as follows:

475-14. Liability of contiguous land owner and notice to repair.

A. The responsibility of maintaining the existing sidewalk, curb, and private driveway, all lying within the bed of a public street, is upon the contiguous property owner, who should maintain said areas so that they do not become dangerous to the public. Said owner should replace, reconstruct, or repair same as needed. The responsibility of said owner does not depend upon being notified to make a repair by the Borough. However, in the event the Borough of Stone Harbor should determine that any existing sidewalk, curb or driveway, which is located within the public right-of- way, is in such condition that it has become dangerous to the public, or is in such condition that it should be replaced, reconstructed, or repaired, or does not conform to the provisions of this chapter, the Construction Official is authorized to give notice to the property owner to replace, repair or reconstruct the same within 30 days from the service of such notice. Permitting for minor replacement, reconstruction, or repair, 5 linear feet of curbing; 48 square feet of sidewalk; or less

see Chapter 475-12. Permitting for major replacement, reconstruction, or repair of sidewalk or curbs, anything over minor, see Chapter 475-3.

SECTION 5. 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 6. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 7. Effective date. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law. The effective date of this Ordinance shall be July 1, 2021. The Borough shall reimburse to \$100.00 any applicant who filed for a minor permit as of July 1, 2021, which reimbursement shall be paid within 30 days of completion and inspection of the minor repair, so long as completed and inspected on or before 12/31/21.

[Date & Signatures]



Borough of Stone Harbor

2021 Special Events Application

Name of Event:

Date of Event:

Time of Event:

Type of Event:

☐ 1K / 5K / Athletic / Bike Race / Marathon☒ Other

town sidewalk for

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Clerk's Office. No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough of Stone Harbor Municipal Code: Chapter 275. A non-refundable application review fee shall be paid to the Borough Clerk when the application is filed. There shall be a fee charged to each organization operating a special event. A contract will then be executed stating the terms and conditions in which both parties will adhere to. Sanction of the event is contingent upon approval from the Borough and its officials. Special events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for special event permit. Such special events shall be governed by applicable Borough polices. Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

APPLICATION REVIEW FEES

- ☐ \$50 if filed prior to 90 Days of event
- ☐ \$100 if filed prior to 60 Days of event
- ☐ \$250 if filed prior to 30 Days of event

Organization is responsible for the non-refundable application review fee. If organization paid the non-refundable deposit with their *Letter of Commitment*, it will be reflected in the event contract following Borough Council approval. Additional event and public land fees may apply. You will be notified of any applicable fees following the review of your application.

2021 EVENT FEES

5k:	\$150 (0-250 Participants)	10k or Triathlons	\$500
(Designated Route Only)	\$250 (250-500 Participants)		
	\$500 (500 Participants or More)		

All applicants for 5k, 10k or Triathlons must submit a 501C3 form with application.

Event Fees.....\$250 Per Day (1000 Participants and Under) / \$500 Per Day (1000 Participants and Over)

Seasonal use of facilities by Local Schools\$1500 per season per sport (No Application Review Fee)

Use of 80th St. Fields	\$250 per day (Before Friday of Memorial Day and after Labor Day)
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Use of 80th St. Fields	\$250 per day (Before Friday or Memorial Day and after Labor Day)
Use of 80th St. Fields	\$500 per day (first two days) / \$250 per each additional day (Memorial Weekend-Labor Day Weekend)

Use of 80th St. Fields	\$500 per day (first two days) / \$250 per each additional day (Monday, Weekend, Labor Day, Weeknights)
Use of Recreation Support Building (82 nd & Second Avenue).....	\$300

Stone Harbor Men's Softball League.....\$500 per season

APPLICANT INFORMATION

- 1) Name of Organization: Stone Harbor Chamber of Commerce
2) Address of Organization: 212 96th Street Stone Harbor NJ 08047
3) Contact Person: Manee Leagle Phone: 609.231.1816
4) Email: leaglemb@coastal.net
5) Is your organization tax exempt? No Tax ID # _____
6) Is this a non-profit event? No NJ Registered Charitable Organization # _____

CERTIFICATE OF INSURANCE

Events are required to provide the Borough of Stone Harbor with a Certificate of Insurance indicating the continuation of insurance coverage and designating the Borough of Stone Harbor as an "Additional Insured." A copy of the Additional Insured Endorsement page(s) must be provided with the certificate. The policy must be current and not expire before or on the dates of the event.

REQUIREMENTS

I. LOW HAZARD *Indoor/outdoor meetings, picnics & social gatherings (no alcohol)*

A. Commercial General Liability \$ 100,000

* If a private and/or non-profit group is sponsoring the event, a \$100,000 policy will suffice or evidence of a homeowners insurance policy.

B. Municipality to be named as "Additional Insured"

II. MODERATE HAZARD *Dances, animal shows, parades, rallies, family concerts*

A. Commercial General Liability \$ 1,000,000

B. Automobile Liability \$ 1,000,000

C. Workers Compensation Statutory

D. Municipality to be named as "Additional Insured"

III. HIGH HAZARD *Team sporting events, circuses and carnivals with rides*

A. Commercial General Liability \$ 1,000,000

B. Automobile Liability \$ 1,000,000

C. Workers Compensation Statutory

D. Municipality to be named as "Additional Insured"

IV. SPECIAL HAZARDS *Rock concerts, professional sports, rodeos, vehicle races, fireworks, crowds over 25,000 and all functions where alcohol is served.*

Due to variable factors such as crowd size, potential hazards, availability and cost of insurance coverage, the Borough of Stone Harbor must consult with our municipal attorney. Please complete the application for consideration.

HOLD HARMLESS

To the fullest extent permitted by law, Manee Leagle, agrees to defend, pay on behalf of, indemnify, and hold harmless the Borough of Stone Harbor, its elected and appointed officials, its agents, employees and volunteers and others working on behalf of the Borough of Stone Harbor against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Borough of Stone Harbor, its elected and appointed officials, its agents, employees, volunteers or others working on behalf of the Borough of Stone Harbor, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with the use of or is in any way connected or associated with the use of the Borough of Stone Harbor public lands during the event.

SIGNATURE OF APPLICANT: MB Leagle

- 1) Name of Race: _____
- 2) Location of Event: _____
- 3) Setup Time: _____ am / pm Start Time: _____ am / pm End Time: _____ am / pm
- 4) Purpose of Event: _____
- 5) Beneficiary: _____
- 6) Race Distance: _____ Number of Participants Expected: _____ Fee Charged: \$ _____
- 7) Do participants complete a registration form (**Please include a registration form with application**): ☐ Yes ☐ No
- 8) Proposed Route (include turn-by-turn directions): _____

- 9) Location(s) of barricades, street closings or signage (identify on site-plan): _____

- 10) Location(s) of water stations (identify on site-plan): _____

- 11) Location(s) and size/type of tent(s) (eg first aid, registration, etc - identify on site-plan):
Special Note: Client must provide/rent required tents, tables, chairs, P/A system, ice or generators needed to execute the event.
All 501c 3 organizations requesting use of Borough amenities requesting any items listed above, must do so in writing on this application.
- 12) Location(s) and number of trash receptacles and recycling cans requested (identify on site-plan):
Trash: _____ Recycling: _____
- 13) Location(s) of Borough electrical services (identify on site-plan): *Special Note: If existing Borough electrical outlets are not sufficient for your event, client must provide their own source of power. Use of generators or compressors must be approved by the Fire Official.*
- 14) Location(s) of Portable Toilet(s) (identify on site-plan): _____

PLEASE CONTINUE TO PAGE 4 TO COMPLETE APPLICABLE ITEMS BEFORE COMPLETING PUBLIC SAFETY PORTION

FESTIVAL & OTHER SPECIAL EVENTS

- 1) Name of Event: Annual Merchants' Day Sidewalk Sale
- 2) Address of Event: Downtown Stone Harbor Business District
- 3) Setup Time: 8 am / pm Start Time: 9 am / pm End Time: 1 am / pm
- 4) Purpose of Event: End-of-season Merchants' Sale to attract visitors.
- 5) Beneficiary: Individuals
- 6) Number of Attendees Expected: 5000+ Entrance Fee Charged: \$ NONE
- 7) Location(s) of barricades, street closings or signage (identify on site-plan): NONE
- 8) Number of Non-Food Vendor Spaces: N/A Number of Food Vendor Spaces: N/A
Attach a list of Vendors and Contact Numbers. Fully updated list must be turned in two weeks prior to event.
 All Vendors must cover storm drains with felt or other approved material. No dumping of any water is permitted in the storm drain.
 This is a direct violation of the Department of Environmental Protection.

All vendors are required to comply with Stone Harbor Ordinance 1524 and Ordinance 1536 which pertain to environmentally acceptable packaging and product. Single-use plastic is not permitted and violators of this ordinance are subject to the applicable fines.

Open Flame – Barbeque – Permit Fees

The Uniform Fire Code States: Permits shall be required and obtained from the local enforcing agency for activities pursuant to N.J.A.C. 5:70-2.7(a). Permits are \$54.00. Applications for a permit are on file in the Borough Clerk's Office or online at www.SHNJ.org

Permit #:

Application for a permit required by this code shall be made to the fire official in such form and detail as the fire official shall prescribe. Applications for permits shall be accompanied by plans or drawings as required by the fire official for evaluation of the application.

Food Festival Events – Cape May County Department of Health

All food vendors are subject to regulation in Chapter XII N.J.A.C. 8:24-8 and 9 in order to operate.

The filing fee for a Food Festival Event is \$25.00 and must be filed with the County Health Department at least fourteen (14) days before the event involving five (5) or fewer booths and thirty (30) days prior to an event involving more than five (5) booths. Applications are on file in the Borough Clerk's Office.

- 9) Location(s) and size/type of tent(s) (eg) first aid, registration, etc - identify on site-plan):
Special Note: Client must provide/rent required tents, tables, chairs, PA system, ice or generators needed to execute the event. All 50 to 3 organizations requesting use of Borough amenities requesting any items listed above, must do so in writing on this application.
NONE
- 10) Type of Entertainment /Location of Stages or Performance Areas (identify on site plan)
(Attach copy of program schedule (may submit draft version). Final version must be turned in two weeks prior to event)
No entertainment.
- 11) Location(s) of Borough electrical services (identify on site-plan): *Special Note: If existing Borough electrical outlets are not sufficient for your event, client must provide their own source of power. Use of generators or compressors must be approved by the Fire Official.*
Not needed.

12) Location(s) of Portable Toilet(s) (identify on site-plan):

Use of public restroom only

13) PLEASE NOTE: Applicant must contract a company to setup and remove restrooms. An appropriate number of these toilets should be handicap accessible. Number of restrooms should double if expecting 50% of females.

14) Compliance with Stone Harbor's Ordinance 1524 and Ordinance 1536 pertaining to environmentally acceptable packaging and product is required by all Event Organizations, Promoters and Vendors. See copy of attached ordinance.

PUBLIC SAFETY: FIRE & POLICE

1) Do you anticipate the need for Fire Department / EMS staff to support your event?

☐ Yes

☒ No

If yes, for what purpose?

Only as needed.

2) Are you requesting permission to use a generator or compressor during your event?

☐ Yes

☒ No

If yes, please describe in detail, including dates and times for proper approval:

3) Will there be a bonfire, open flame, lighting, extinguishing, or burning of any material?

☐ Yes

☒ No

If yes, please describe in detail:

4) Do you anticipate the need for Police assistance to support your event?

☐ Yes

☒ No

If yes, for what purpose?

As needed

5) Will you request road closures?

☐ Yes

☒ No

If yes, please describe in detail (days, times, and locations):

6) Will you request "no parking" signage?

☐ Yes

☒ No

If yes, please describe in detail (days, times, and locations):

7) Will the event require the site to remain in place overnight, or will the site be broken down each night (partially or completely)?

Explain: _____

8) Describe how you plan to provide security for the event? _____

9) Miscellaneous needs Borough Fire or Police need to be aware of?

Only need to be aware of extra large crowds - more than usual due to promotion of sale.

CANCELLATION POLICY

The Special Event is a rain or shine event. If weather, major disaster, or other circumstances beyond the control of the Borough of Stone Harbor cause the cancellation of the event, event fees will not be returned. The Borough of Stone Harbor cannot be held liable by applicants for the failure of the event to take place. Cancellations at least 30 days prior to the event date, must be in writing and submitted by mail or email to the respective Borough coordinator. Refunds will not be awarded for cancellations within 30 days.

**THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR EXECUTED APPLICATION.
PLEASE INITIAL BELOW, INDICATING THAT THE APPLICATION INCLUDES THE ITEMIZED DOCUMENTS.
AN APPLICATION SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS MAY BE REJECTED.**

Item	Initials
Executed Application	MBF
Proof of Liability Insurance	fu
Executed Hold Harmless Agreement (provided)	MBF
Site Plan / Timeline / Vendor info	MBF
Non-refundable Application Review Fee	fu

FOR OFFICIAL USE ONLY

PUBLIC WORKS DIRECTOR

Comments:

Signature _____

Date _____

Projected Departmental Costs for this event: _____

SAFETY OFFICER

Comments

Signature _____

Date _____

CHIEF OF POLICE

Comments

Signature _____

Date _____

Projected Departmental Costs for this event: _____

FIRE OFFICIAL

Comments

Signature _____

Date _____

Projected Departmental Costs for this event: _____

BOROUGH ADMINISTRATOR REVIEW

Comments

SIGNATURE _____

Date _____

BEACH, RECREATION, TOURISM COMMITTEE CHAIR

Comments

Signature _____

Date _____

ACORD™

Client#: 20058

STONHAR4

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER J. Byrne Agency, Inc. 5200 New Jersey Avenue PO Box 1409 Wildwood, NJ 08260		CONTACT NAME: PHONE (A/C, No, Ext): 609 522-3406 FAX (A/C, No): E-MAIL: ADDRESS: PRODUCER CUSTOMER ID #:	
INSURED Stone Harbor Chamber Of Commerce PO Box 422 Stone Harbor, NJ 08247-0422		INSURER(S) AFFORDING COVERAGE INSURER A: Franklin Mutual Insurance Co. INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

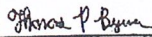
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR NSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X	GLP2567250	06/30/2021	06/30/2022	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE \$ RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			IWC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Annual Merchants Day Sidewalk Sale on August 28, 2021

CERTIFICATE HOLDER

CANCELLATION

Borough of Stone Harbor 9508 Second Avenue Stone Harbor, NJ 08247	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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STONE HARBOR CHAMBER OF COMMERCE

STONEHARBORCHAMBER.COM

212 96th Street

609.368.6101

Join us, downtown Stone Harbor, to

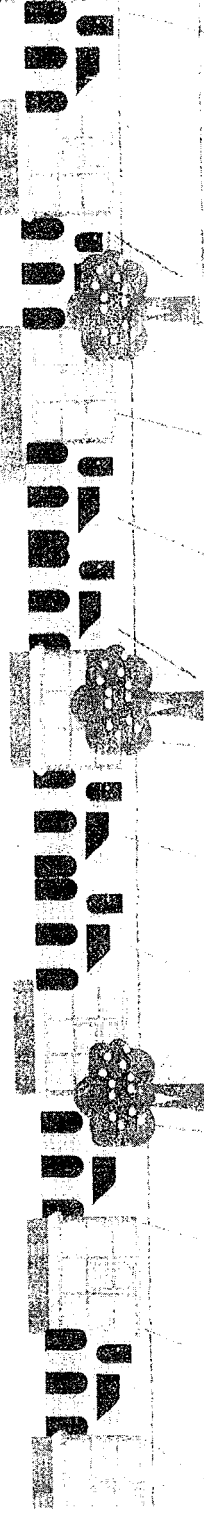
SHOP, DINE & ENJOY OUR ANNUAL MERCHANTS' DAY SIDEWALK SALE

Saturday, August 28th

**STONE
HARBOR**
THE SPARKS
OF THE EAST

*Mark your calendar
& meet your friends!
Shop amazing deals!
Support our fantastic
shops & businesses.*

9am to 7pm



SO MANY SHOPS & BUSINESSES... SO MANY SALES!



STONE HARBOR BEACH



#STONEHARBORLIFE