

**Borough of Stone Harbor**  
**REGULAR MEETING AGENDA**  
**Tuesday, November 1, 2022**  
**Borough Hall, 9508 Second Avenue, Stone Harbor**

**Call to Order:** Immediately Following Work Session

**Roll Call:** Councilmember Moore, Councilmember Parzych, Councilmember Casper, Councilmember Gensemer, Councilmember Dallahan, Councilmember Krafczek

**Statement of Public Notice:** Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same of the Press and the Cape May County Herald on January 5, 2022.

**Salute the Flag**

**Announcement: Next Council Meeting: Monday, November 14, 2022**

**Communications:**

**Dr. Stewart Farrell – Stockton Coastal Research –** Update on Stone Harbor Beach

**Approval of Minutes:** Work Session and Regular Meeting ~ October 18, 2022

**Public Comment**

**OLD BUSINESS**

**Ordinance #1619 – Amend Chapter 174 – Prohibition of Invasive Species 2<sup>nd</sup>, 3<sup>rd</sup> & FINAL**

**NEW BUSINESS**

**Ordinance #1620 – Amending Chapter 275 “Events, Special” of the Code of the Borough of Stone Harbor, Section 4 “Exceptions” – INTRO**

**Resolution – Refund Beach Vehicle Permit Fee / 2022-2023 Season**

**Discussion:**

Stone Harbor Museum Event: Wednesday, November 9, 2022  
Bicentennial Quilt Returning to Stone Harbor – All are Invited

**Motion -** Approve the Bill List & Authorize the CFO to Pay the bills when the funds are available, and the vouchers are properly endorsed.

**Public Comment**

**Adjournment**



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

**ORDINANCE NO. 1619**

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF STONE HARBOR, CHAPTER 174 ENTITLED "BRUSH, GRASS, WEEDS &  
DEBRIS" TO INCLUDE PROHIBITION OF INVASIVE SPECIES**

**WHEREAS**, the Borough of Stone Harbor shall designate a regulation regarding invasive species; and

**WHEREAS**, it has been determined the bamboo plant and other invasive plants are often difficult to control, and can and have caused significant damage to properties in the Borough of Stone Harbor; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.13, the Borough is authorized to enact ordinances requiring the destruction and removal of brush, weeds, stumps, roots and obnoxious growth where necessary to preserve the public health, safety and general welfare; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2 the Borough is authorized to enact ordinances for the protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

**WHEREAS**, the Council of the Borough of Stone Harbor has deemed it in the best interest of the public health, safety and welfare to amend Chapter 174 of the Borough Code to regulate the growth of bamboo and other invasive species.

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

SECTION I. Chapter 174 of the Code of the Borough of Stone Harbor, entitled "Brush, Grass, Weeds & Debris" is hereby amended to add the following Section 174A as follows:

**Added Section:**

**174A. Planting, Growing or Cultivating Bamboo and Other Invasive Plant Species**

- § 174A-1. Purpose. The article is adopted to control the planting, cultivating, and/or growing of bamboo and other invasive plant species in the Borough of Stone Harbor. It is further intended to require barriers that will prevent the spread of invasive plant species, into other public or private property in the Borough of Stone Harbor.
- § 174A-2. Definitions. INVASIVE - All native and nonnative vines and vegetation that grow out of place and are competitive, persistent and pernicious; those plants may damage trees, vegetation, sidewalks or structures. Examples include, but are not limited to: bamboo as well as invasive plant species developed by the New Jersey Species Strike Team and the New Jersey Forestry Association. The terms "bamboo" and "invasive plant species" shall include but not be limited to, the following plant genera (commonly known as spreading or running type): Arundinaria, Bambusa, Chimonobambusa, Dendrocalamus, Fargesia, Phyllostachys, Pleioblastus, Sasa, Sasaella, Semiarundinaria, Ragweed, multi-flora rose, kudzu-vine and poison oak or ivy.
- § 174A-3. Prohibition.
- a) No owner, tenant or occupant of a property, or a person, corporation or other entity, shall plant, install, or cause or permit the planting or installation of any invasive or nuisance plants or vegetation, included on but not limited to, the New Jersey Invasive Strike Team "Do Not Plant" List and/or the Stone Harbor List of Invasive and Nuisance Plants (Attachment A) as recommended and approved by the Stone Harbor Natural Resources Committee and periodically updated, within any lot and/or parcel of ground anywhere within the Borough.
  - b) A landscaping plan shall be submitted to the Construction/Zoning office as part of all new construction and substantial improvement projects as defined in Chapter 300 of the Borough Code. The landscaping plan shall include a list of all plants, shrubs and other vegetation that must comply with the requirements of this ordinance.
- § 174A-4. Duty to Confine.
- a) If there exists any species commonly known as "bamboo-running or clumping" or any other invasive species located upon any property within the Borough of Stone Harbor prior to the effective date of this article, there shall be a duty to confine imposed upon the owner and occupant of the property. The duty to confine shall require owners and occupants to prevent the encroachment, spread, invasion or intrusion of bamboo and other invasive plant species onto any other private property, public property or public right-of-way.



- b) All places and premises in the Borough of Stone Harbor shall be subject to inspection by the Code Enforcement Officer or their designee when there is reason to believe that any section of this article is being violated.
- c) Property owners who seek to confine bamboo or other invasive plant species must do so in accordance with methods approved by the Borough of Stone Harbor Code Enforcement Officer. The Code Enforcement Officer may permit, inspect and approve methods of confinement and amend the requirements of said confinement from time to time. The Code Enforcement Officer may also permit, inspect and approve proper methods for full removal of bamboo or other invasive plant species.
- d) Failure to confine bamboo or other invasive plant species in accordance with the requirements set forth by the Code Enforcement Officer shall require immediate removal by the property owner or occupant.
- e) An owner or occupant with property containing bamboo or other invasive plant species prior to the adoption of this article may fully remove the bamboo or other invasive plant species in lieu of the duty to confine. Such removal must conform with the requirements set forth by the Code Enforcement Officer.

§ 174A-5. Encroachment. When an encroachment of an invasive plant species is upon public property or a public right-of-way, at its discretion, the Borough of Stone Harbor may remove or contract for the removal of such invasive plant species from the public property right-of-way. The cost of such removal shall be the responsibility of the owner and occupant of the property from which the invasive plant species originated. The cost of said removal of the invasive plant species from the public property and/or a public right-of-way shall include the cost of the installation of an appropriate barrier to prevent further encroachment by the invasive plant species.

§ 174A-6. Removal. In the event it is determined that there is an encroachment or invasion on any adjoining private or public property or public right of way, the Borough shall notify the property owner in writing that the bamboo or other invasive plant species has invaded other private or public property or public right of way and demand the removal of the bamboo or other invasive plant species from such other private or public property or public right of way and the confinement against future encroachment or the total removal of the bamboo or other invasive plant species from the owner's property. Notice shall be provided by certified, return receipt requested mail and regular mail. If the property owner in violation does not remove the bamboo or other invasive plant species from such other private or public property or public right of way within forty- five (45) days of the date of notice, the Code Enforcement Officer shall have the discretion to issue a citation with a penalty up to \$100.00 for each day the violation continues, enforceable through the Municipal Court of the Borough of Stone Harbor, as well as civil proceedings for injunctive or civil relief.

§ 174A-7. Violations and penalties. Except as otherwise in Subsection 6 above, any person, firm, corporation or other entity violating any of the provisions of this Chapter shall, upon conviction thereof, be subject to the maximum fines and penalties established under N.J.S.A. 40:49-5 and 40:69A-29, and as same shall be amended from time to time. Any such penalty shall be in addition to the costs incurred in cutting or removing said brush, hedges or other plant life described in the notice given by the Code Enforcement Officer, or their designee, of the Borough of Stone Harbor. For purposes of this article, each day on which such a condition exists after the expiration of the notice shall be deemed or constitute a separate offense under this article, and separate complaints may be filed for each such offense.

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

SECTION IV. This Ordinance shall take effect 20 days of its final adoption and publication in accordance with law.

APPROVE

ATTEST

\_\_\_\_\_  
Judith M. Davies-Dunhour, Mayor

\_\_\_\_\_  
Kim Stevenson, Borough Clerk



## ATTACHMENT A (3 pages)



### BOROUGH OF STONE HARBOR Invasive and Nuisance Plants

Invasive or nuisance plants (weeds) shall not be introduced into the Borough along with any landscaping plants.

The following is a partial list of plants that have been designated as invasive, i.e., they tend to spread rapidly, or nuisance plants. They have been derived from the New Jersey Invasive Species Strike Team lists and edited for those species occurring locally and available for purchase. They should not be used or distributed accidentally in any proposed planting program.

#### Trees

Callery Pear (Bradford Pear) (*Pyrus calleryana*)  
Chinese/Siberian Elm (*Ulmus parvifolia*, *Ulmus procera*)  
Japanese Black Pine (*Pinus thunbergiani*)  
Mimosa or Silk Tree (*Albizia julibrissin*)  
Norway Maple (*Acer platanoides*)  
Tree of Heaven (*Ailanthus altissima*)

#### Shrubs

Autumn olive (*Eleagnus umbellata*)  
Butterfly bush (*Buddleia davidii*)  
Japanese/Winter barberry (*Berberis thunbergio* *Berberis julianae*)  
Multiflora Rose (*Rosa multiflora*)  
Privet (*Ligustrum ovalifolium*; *Ligustrum obtusifolium*; *Ligustrum amurense*, *Ligustrum vulgare*)  
Rugosa rose (*Rosa rugosa*)  
Russian olive (*Eleagnus angustifolia*)

#### Vines

Asian bittersweet (*Celastrus orbiculatus*)  
Boston Ivy (*Parthenocissus tricuspidata*)  
Clematis (*Clematis flammula*, *Clematis terniflora*)  
English ivy (*Hedera helix*)  
Japanese honeysuckle (*Lonicera japonica*)  
Kudzu-vine (*Pueraria montana*)  
Mile a minute vine (*Polygonum perfoliatum*)  
Porcelain berry (*Ampelopsis brevipedunculata*)  
Winter creeper (*Euonymus fortunei*)  
Wisteria (*Wisteria frutescens*, *Wisteria floribunda*, *Wisteria sinensis*)

#### Herbaceous Plants

Bamboo Grass family (Poaceae), including but not limited to Common bamboo (*Bambusa vulgaris*), Golden bamboo (*Phyllostachys aurea*), Arrow bamboo (*Pseudosasa japonica*)  
Danes rocket (*Hesperis matronalis*)  
Japanese knotweed (*Fallopia japonica*)  
Japanese stiltgrass (*Microstegium vimineum*)  
Japanese sedge (*Carex kolomugi*)  
Phragmites (*Phragmites australis*)  
Purple loosestrife (*Lythrum salicaria*)

New Jersey Invasive Species Strike Team  
2022 DO NOT PLANT LIST  
PLANTS ON THIS LIST ARE COMMONLY AVAILABLE FOR PURCHASE

Common Name	Scientific Name	Problem Type
<b>Herbaceous Plants</b>		
American sweetflag	<i>Acorus calamus</i>	Widespread
beefsteakplant	<i>Perilla frutescens</i>	Emerging
black fountain grass	<i>Cenchrus purpureus</i>	Potential
black fountain grass	<i>Cenchrus setaceus</i>	Potential
blackberry lily	<i>Belamcanda chinensis</i>	Potential
blue plantain lily	<i>Hosta ventricosa</i>	Emerging
blue-green sedge	<i>Carex flacca</i>	Potential
Bohemian knotweed	<i>Reynoutria x bohemica</i>	Widespread
Brazilian waterweed	<i>Egeria densa</i>	Emerging
Carolina fanwort	<i>Cabomba caroliniana</i>	Emerging
chameleon-plant	<i>Houttuynia cordata</i>	Potential
Chinese silvergrass	<i>Miscanthus sinensis</i>	Emerging
common tansy	<i>Tanacetum vulgare</i>	Potential
common water hyacinth	<i>Elchhornia crassipes</i>	Emerging
creeping buttercup	<i>Ranunculus repens</i>	Potential
creeping waterprimrose	<i>Ludwigia peploides (ssp. glabrescens)</i>	Emerging
creeping yellow loosestrife	<i>Lysimachia nummularia</i>	Widespread
Dame's rocket	<i>Hesperis matronalis</i>	Potential
Eurasian water-milfoil	<i>Myriophyllum spicatum</i>	Widespread
European waterclover	<i>Marsilea quadrifolia</i>	Emerging
Flowering Rush	<i>Butomus umbellatus</i>	Potential
giant knotweed	<i>Reynoutria sachalinensis</i>	Widespread
giant reed	<i>Arundo donax</i>	Potential
goutweed	<i>Aegopodium podagraria</i>	Potential
hardy pampas grass	<i>Saccharum ravennae</i>	Potential
Hispanic hyacinthoides	<i>Hyacinthoides hispanica</i>	Potential
Italian arum	<i>Arum italicum</i>	Potential
Japanese chaff flower	<i>Achyranthes japonica</i>	Potential
Japanese knotweed	<i>Reynoutria japonica</i>	Widespread
Japanese net-veined holly fern	<i>Cyrtomium falcatum</i>	Potential
Japanese pachysandra	<i>Pachysandra terminalis</i>	Potential
Java dropwort	<i>Oenanthe javanica</i>	Emerging
Jupiter's distaff	<i>Salvia glutinosa</i>	Potential
kiss me over the garden gate	<i>Persicaria orientalis</i>	Emerging
oldwoman	<i>Artemisia stelleriana</i>	Emerging
parrotfeather	<i>Myriophyllum aquaticum</i>	Emerging
purple korean	<i>Corydalis incisa</i>	Emerging
purple loosestrife	<i>Lythrum salicaria</i>	Widespread
ragged robin	<i>Silene flos-cuculi</i>	Emerging
snowbell	<i>Leucocorydon aestivum</i>	Potential
spring fumewort	<i>Corydalis solida</i>	Emerging
squill	<i>Scilla sibirica</i>	Potential
water lettuce	<i>Pistia stratiotes</i>	Emerging
water soldier	<i>Stratiotes aloides</i>	Emerging
watercress	<i>Nasturtium officinale</i>	Widespread
weeping lovegrass	<i>Eragrostis curvula</i>	Emerging
yellow archangel	<i>Lamium galeobdolon</i>	Potential
yellow floating heart	<i>Nymphoides peltata</i>	Emerging
yellow iris	<i>Iris pseudacorus</i>	Widespread
<b>Vines</b>		
Boston ivy	<i>Parthenocissus tricuspidata</i>	Emerging
Chinese fleeceflower	<i>Fallopia baldschuanica</i>	Emerging
Chinese wisteria	<i>Wisteria sinensis</i>	Emerging
Chinese yam	<i>Dioscorea polystachya</i>	Emerging
English ivy	<i>Hedera helix</i>	Widespread
fragrant clematis	<i>Clematis flammula</i>	Emerging
hardy kiwi	<i>Actinidia arguta</i>	Emerging
Italian woodbine	<i>Lonicera caprifolium</i>	Emerging
Japanese clematis	<i>Clematis terniflora</i>	Widespread
Japanese honeysuckle	<i>Lonicera japonica</i>	Widespread
Japanese wisteria	<i>Wisteria floribunda</i>	Emerging
kudzu	<i>Pueraria montana var. lobata</i>	Emerging
Oriental bittersweet	<i>Celastrus orbiculatus</i>	Widespread
porcelain-berry	<i>Ampelopsis brevipedunculata</i>	Widespread
winter creeper	<i>Euonymus fortunei</i>	Emerging

Common Name	Scientific Name	Problem Type
<b>Shrubs</b>		
Amur honeysuckle	<i>Lonicera maackii</i>	Widespread
amur privet	<i>Ligustrum amurense</i>	Potential
autumn olive	<i>Elaeagnus umbellata</i>	Widespread
Beale's barberry	<i>Mahonia bealei</i>	Emerging
beautybush	<i>Kolkwitzia amabilis</i>	Potential
border privet	<i>Ligustrum obtusifolium</i>	Widespread
butterflybush	<i>Buddleja davidii</i>	Emerging
California privet	<i>Ligustrum ovalifolium</i>	Emerging
common barberry	<i>Berberis vulgaris</i>	Emerging
cutleaf blackberry	<i>Rubus laciniatus</i>	Emerging
dog rose	<i>Rosa canina</i>	Emerging
European privet	<i>Ligustrum vulgare</i>	Widespread
European spindle tree	<i>Euonymus europaeus</i>	Emerging
five-leaf aralia	<i>Eleutherococcus sieboldianus</i>	Emerging
fuzzy pride-of-Rochester	<i>Deutzia scabra</i>	Emerging
garden red current	<i>Ribes rubrum</i>	Emerging
glossy buckthorn	<i>Frangula alnus</i>	Emerging
Guelder-rose	<i>Viburnum opulus</i>	Emerging
hardy orange	<i>Citrus trifoliata</i>	Emerging
Himalaya blackberry	<i>Rubus armeniacus</i>	Emerging
holly osmanthus	<i>Osmanthus heterophyllus</i>	Potential
Japanese barberry	<i>Berberis thunbergii</i>	Widespread
Japanese snowball	<i>Viburnum plicatum</i>	Emerging
Japanese snowbell	<i>Styrax japonicus</i>	Emerging
Japanese spiraea	<i>Spiraea japonica</i>	Emerging
jeltbead	<i>Rhodotypos scandens</i>	Emerging
linden viburnum	<i>Viburnum dilatatum</i>	Widespread
memorial rose	<i>Rosa luciae</i>	Potential
Morrow's honeysuckle	<i>Lonicera morrowii</i>	Widespread
Oriental photinia	<i>Photinia villosa</i>	Widespread
panicled hydrangea	<i>Hydrangea paniculata</i>	Potential
Russian olive	<i>Elaeagnus angustifolia</i>	Emerging
sapphire berry	<i>Symplocos paniculata</i>	Emerging
Scotch broom	<i>Cytisus scoparius</i>	Emerging
seaberry	<i>Hippophae rhamnoides</i>	Potential
seaside rose	<i>Rosa rugosa</i>	Emerging
Siebold's arrowwood	<i>Viburnum sieboldii</i>	Emerging
Standish's honeysuckle	<i>Lonicera standishii</i>	Emerging
sweet breath of spring	<i>Lonicera fragrantissima</i>	Emerging
Tatarian honeysuckle	<i>Lonicera tatarica</i>	Widespread
tea viburnum	<i>Viburnum setigerum</i>	Emerging
thorny elaeagnus	<i>Elaeagnus pungens</i>	Potential
wayfaring tree	<i>Viburnum lantana</i>	Emerging
Western thimbleberry	<i>Rubus parvifolius</i>	Emerging
winged burning bush	<i>Euonymus alatus</i>	Widespread
wintergreen barberry	<i>Berberis julianae</i>	Potential
<b>Trees</b>		
Amur corktree	<i>Phellodendron amurense</i>	Emerging
Amur maple	<i>Acer ginnala</i>	Emerging
birchleaf pear	<i>Pyrus betulifolia</i>	Potential
Callery pear (Bradford pear)	<i>Pyrus calleryana</i>	Widespread
castor aralia	<i>Kalopanax septemlobus</i>	Emerging
Chinese elm	<i>Ulmus parvifolia</i>	Emerging
Chinese mulberry	<i>Morus australis</i>	Potential
Chinese willow	<i>Salix matsudana</i>	Potential
chocolate vine	<i>Akebia quinata</i>	Emerging
English elm	<i>Ulmus procera</i>	Emerging
European black alder	<i>Alnus glutinosa</i>	Emerging
golden raintree	<i>Koelreuteria elegans</i>	Potential
gray poplar	<i>Populus x canescens</i>	Emerging
Japanese angelica tree	<i>Aralia elata</i>	Widespread
Japanese crabapple	<i>Malus toringo</i>	Emerging
Japanese maple	<i>Acer palmatum</i>	Emerging
Japanese zelkova	<i>Zelkova serrata</i>	Emerging
Kobus magnolia	<i>Magnolia kobus</i>	Potential
Kousa dogwood	<i>Cornus kousa</i>	Emerging
mimosa	<i>Albizia julibrissin</i>	Emerging
Norway maple	<i>Acer platanoides</i>	Widespread
paper mulberry	<i>Broussonetia papyrifera</i>	Emerging
princesstree	<i>Paulownia tomentosa</i>	Widespread
Siberian elm	<i>Ulmus pumila</i>	Emerging
sweet cherry	<i>Prunus avium</i>	Widespread
sycamore maple	<i>Acer pseudoplatanus</i>	Emerging
weeping Higan cherry	<i>Prunus subhirtella var. pendula</i>	Emerging
white poplar	<i>Populus alba</i>	Emerging

New Jersey Invasive Species Strike Team  
2022 DO NOT PLANT LIST  
PLANTS ON THIS LIST ARE NOT COMMONLY AVAILABLE FOR PURCHASE

Common Name	Scientific Name	Problem Type
<b>Herbaceous Plants</b>		
annual wormwood	Artemisia annua	Emerging
bassia scoparia	Kochia scoparia	Potential
brittleleaf naiad	Najas minor	Emerging
Canada thistle	Cirsium arvense	Widespread
canarygrass	Phalaris canariensis	Emerging
common reed	Phragmites australis	Widespread
common teasel	Dipsacus fullonum	Widespread
curly-leaved pondweed	Potamogeton crispus	Widespread
cutleaf teasel	Dipsacus laciniatus	Emerging
European frog-bit	Hydrocharis morsus-ranae	Emerging
European water chestnut	Trapa natans	Widespread
European waterstarwort	Callitriche stagnalis	Emerging
garlic mustard	Alliaria petiolata	Widespread
giant chickweed	Myosoton aquaticum	Emerging
giant hogweed	Heracleum mantegazzianu	Emerging
hairy crabweed	Fatoua villosa	Potential
hairy cup-grass	Eriochloa villosa	Potential
hydrilla	Hydrilla verticillata	Emerging
Japanese sedge	Carex kobomugi	Emerging
Japanese stiltgrass	Microstegium vimineum	Widespread
largehead sedge	Carex macrocephala	Emerging
lesser celandine	Ficaria verna	Widespread
marsh dayflower	Murdannia keisak	Emerging
mugwort	Artemisia vulgaris	Widespread
narrowleaf bittercress	Cardamine impatiens	Widespread
poison-hemlock	Conium maculatum	Widespread
purple stemmed dodder	Cuscuta japonica	Potential
reed canarygrass	Phalaris arundinacea	Widespread
rock snot	Didymosphenia geminata	Emerging
sericea lespedeza	Lespedeza cuneata	Widespread
Sickleweed	Falcaria vulgaris	Emerging
small carpetgrass	Arthraxon hispidus	Widespread
spotted knapweed	Centaurea stoebe ssp. mic	Widespread
starry stonewort	Nitellopsis obtusa	Emerging
tumbleweed	Salsola tragus	Potential
variable flatsedge	Cyperus difformis	Potential
Vietnamese Balm	Elsholtzia ciliata	Potential
water wheel plant	Aldrovanda vesiculosa	Potential
wavyleaf basketgrass	Oplismenus undulatifolius	Emerging
Western ragweed	Ambrosia psilostachya	Emerging
wild chervil	Anthriscus sylvestris	Widespread

Common Name	Scientific Name	Problem Type
<b>Vines</b>		
black swallowwort	Vincetoxicum nigrum	Emerging
Japanese hop	Humulus japonicus	Widespread
mile-a-minute vine	Persicaria perfoliata	Widespread
pale swallowwort	Vincetoxicum rossicum	Emerging
<b>Shrubs</b>		
Chinese buckthorn	Rhamnus utilis	Emerging
Dahurian buckthorn	Rhamnus davurica	Emerging
European buckthorn	Rhamnus cathartica	Emerging
gray willow	Salix cinerea	Emerging
large gray willow	Salix atrocinerea	Emerging
multiflora rose	Rosa multiflora	Widespread
wine raspberry	Rubus phoenicolasius	Widespread
<b>Trees</b>		
tree-of-heaven	Ailanthus altissima	Widespread



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

**ORDINANCE 1620**

**AN ORDINANCE AMENDING CHAPTER 275 “EVENTS, SPECIAL” OF THE  
CODE OF THE BOROUGH OF STONE HARBOR, SECTION 4 “EXCEPTIONS”**

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to establish criteria to consider when asked to permit a special event by a for-profit organization;

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that Section 4 of Chapter 275 of the Borough Code, titled Exceptions, shall be amended as follows:

**SECTION 1. Amend Language.**

Amend Chapter 275 by deleting Section 4 in its entirety and replacing it with the following:

Chapter 275 – Events, Special

**§ 275-4. Exceptions.**

The provisions of this chapter shall not apply to any special event conducted by or on behalf of the Borough of Stone Harbor and/or its municipal agencies. Such special events shall be governed by applicable Borough policies. Additionally, Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council. Waiver of any provision shall take into account the following factors, including but not limited to:

- A. Impact on traffic and public access
- B. Impact on the Borough’s ability to supply appropriate municipal services (Fire, Police, Emergency Services, Public Works)
- C. Overall benefit/detriment to the health, safety and well-being of the public and of the Borough
- D. Other factors, considerations, and criteria deemed by the Council to be in the best interest of the Borough.

**SECTION 2. Severability and Effectiveness Clause**

- a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 3. Effective Date**

This Ordinance shall take effect 20 days from the time of its final adoption and publication in accordance with law.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Judith M. Davies-Dunhour

\_\_\_\_\_  
Kim Stevenson, Borough Clerk

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**REFUND BEACH VEHICLE PERMIT 2022-2023 SEASON**

**WHEREAS**, the Borough of Stone Harbor beaches suffered significant damage due to the after effects of Hurricane Ian which resulted in beach closures in the month of October; and

**WHEREAS**, the Borough of Stone Harbor issued a Beach Vehicle Permit to Mr. John Egger (#21) on September 1, 2022; and

**WHEREAS**, Mr. Egger is requesting a refund of the Beach Vehicle Permit fee since he was unable to use the permit during his vacation due to said beach closures; and

**WHEREAS**, the Borough Council of the Borough of Stone Harbor hereby approves the refund of \$60.00. Mr. Egger will be required to return the Beach Vehicle Permit issued prior to reimbursement of the fee.

**NOW THEREFORE, BE IT RESOLVED**, on this 1st day of November, 2022 by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May that refund be approved.

Offered by .....Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 1<sup>st</sup> day of November, 2022

.....  
Borough Clerk

The above resolution approved this 1<sup>st</sup> day of November, 2022

.....  
Mayor