

REGULAR SESSION BOARD OF COMMISSIONERS DATE AUGUST 4, 2025

Flag Salute

Call Meeting to Order

Statement of Notice

Roll Call

Approval of Minutes

Second Reading Ordinances

1. 25-11C: An Ordinance Amending An Ordinance Entitled, "Code Of The Township Of Long Beach, County Of Ocean, State Of New Jersey, (1997)" As The Same In Chapter 172, Which Pertains To Streets And Sidewalks
2. 25-12C: An Ordinance Amending An Ordinance Entitled, "Code Of The Township Of Long Beach, County Of Ocean, State Of New Jersey, (1997)" As The Same In Chapter 53, Which Pertains To Bicycles
First Reading Ordinances
3. 25-13C: An Ordinance Amending An Ordinance Entitled, "Code Of The Township Of Long Beach, County Of Ocean, State Of New Jersey, (1997)" Which Pertains To Beaches, And Chapter 135, Which Pertains To Peace And Good Order

Consent Agenda

ADOPTIONS & APPROVALS:

4. Resolution 25-0804.01: Approve Various Personnel Matters

PURCHASES, CONTRACTS & AWARDS:

5. Resolution 25-0804.02(a&b): Award Various Contracts, per Bid:
 - a. Installation of Standing Seam Roof Panel to Kupex Exteriors, LLC in the Amount of \$299,097.
 - b. Purchase and Installation of Access Control System to Shore Security Technology in the Amount of \$60,358.83.
6. Resolution 25-0804.03(a&b): Award Various Contracts, per Various Cooperative Purchasing Programs:
 - a. Purchase of a 2024 Police Dodge Durango, Per State Contract, for the Police Department
 - b. Purchase of an Excavator, per Sourcewell Cooperative Purchasing Program, for the DPW Department
7. Resolution 25-0804.04: Authorize Reverse Change Order #3-Final, for the 2022 Long Beach Meter Interconnect Project

FINANCIAL APPROVALS:

8. Resolution 25-0804.05: Approve the Cancellation of a Tax Levy
9. Resolution 25-0804.06: Approve Bills and Payroll:
Bills in the amount of: \$6,283,970.02
Payroll in the amount of: \$1,936,384.95

COMMISSIONERS' REPORTS

PUBLIC ANNOUNCEMENTS

PUBLIC SESSION

MEETING ADJOURNED

ORDINANCE 25-12C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 53, WHICH PERTAINS TO BICYCLES

STATEMENT OF PURPOSE

This Ordinance repeals and replaces Chapter 53 to revise and adopt bicycle, low-speed electric bicycle, motorized bicycle, and low-speed electric scooter regulations.

SECTION I

Chapter 53 is repealed and replaced as follows.

Chapter 53 Bicycles and Electric and Motorized Bicycles and Scooters

§53-1 Definitions.

The following definitions, consistent with N.J.S.A. 39:1-1, et seq., shall apply to this Chapter.

BICYCLE

A vehicle with two or more wheels with fully operable pedals, connected to a frame, and propelled by human power. The term bicycle in this Chapter does not include children's tricycles, low-speed electric bicycles, motorized bicycles, or low-speed electric scooters.

LOW-SPEED ELECTRIC BICYCLE

A bicycle with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classifications.

- (1) "Class-1 low-speed electric bicycle" is a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- (2) "Class-2 low speed electric bicycle" is a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- (3) "Motorized bicycle" is a pedal bicycle with a helper motor characterized in that either the maximum piston displacement is less than 50cc or said motor is rated at no more than 1.5 brake horsepower or is powered by an electric drive motor and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface or a pedal bicycle having an electric motor that is capable of propelling the bicycle in excess of 20 miles per hour with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. This term shall not include a Low-Speed Electric Bicycle or low-speed electric scooter as defined in the Ordinance.
- (4) "Low-speed electric scooter" is a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of 19 miles per hour.

§53-2 Bicycles

A. Prohibited Locations.

- (1) Bicycles having more than 2 wheels shall be prohibited from operating on Long Beach Boulevard between the northerly boundary line of the Borough of Beach Haven and the southerly boundary line of the Borough of Ship Bottom.
- (2) It shall be unlawful for any person to operate a bicycle on public sidewalks. Bicycles must be walked when in possession on a sidewalk.

B. General Regulations. Anyone operating a bicycle shall comply with the following:

- (1) All traffic regulations as established by N.J.S.A. 39:4-1, et seq., as amended, and all vehicle traffic signs and signals erected for the regulation of traffic;
- (2) Provide due regard for the safety of other persons and vehicles lawfully upon the streets and public places, as well as for his or her own safety, and yield the right-of-way to pedestrians on the streets, highways, parkways, public places, and crosswalks;
- (3) Shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction;
- (4) Ride only upon or astride a permanent and regular seat attached thereto and shall not ride with feet removed from the pedals or with both hands removed from the handlebars;
- (5) Shall not use the bicycle to carry more persons at one time than the number for which it is designed and equipped;
- (6) Shall not attach the bicycle to any vehicle upon a roadway and no operator of any vehicle shall knowingly allow any person riding upon any bicycle to attach the same or himself to the vehicle;
- (7) Shall not operate in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of themselves or other persons or property;
- (8) Before turning or changing direction upon any street, highway, parkway, or public place, it shall be the duty of the rider to give a signal by the extension of the hand to indicate the direction it is the intention to proceed; and
- (9) The bicycle shall be equipped with front, rear, and pedal reflectors, operable brakes, and when operated at night shall have a red reflector mounted on the rear and a red lamp visible from distances of 50 to 300 feet when illuminated by motor vehicle headlamps.

§53-3 Electric and motorized bicycles and scooters general regulations.

A. Prohibited Locations.

- (1) Low-speed electric bicycles, motorized bicycles, and low-speed scooters are prohibited from being operated upon any public recreation areas and locations prohibited by sign. Low-speed electric bicycles, motorized bicycles, and low-speed scooters must be walked without the assistance of motor, electric drive motor, or pedal propulsion mechanisms when in possession upon public recreation areas and locations prohibited by sign.
- (2) Low-speed electric bicycles, motorized bicycles, and low-speed scooters are prohibited from operating on sidewalks. Low-speed electric bicycles, motorized bicycles, or low-speed scooters must be walked without the assistance of motor, electric drive motor, or pedal propulsion mechanisms when in possession on a sidewalk.
- (3) No person shall park upon a street except where an appropriate rack or spots are provided and when parked on sidewalks, it shall be parked only in such manner as not to obstruct or impede the normal movement of pedestrian or other traffic or access to adjacent buildings.
- (4) Exceptions. This Section shall not be construed to apply to those devices used to increase the independent mobility of an individual who has limited or no ambulation abilities, such as a motorized wheelchair, or toy electric vehicles designed for toddlers where the maximum speed is less than 3 miles per hour.

B. General Regulations. Anyone operating a low-speed electric bicycle, motorized bicycle, or low-speed electric scooter shall comply with the following:

- (1) Shall comply with the general regulations set forth in §53-2B(1) through (8);

- (2) It shall be prohibited for a person operating a low-speed electric bicycle, motorized bicycle, or low-speed scooter to allow another person to ride as a passenger, unless the person is carried in a proper seat, trailer, or other accessory that complies with current regulations and contains adequate provision for retaining the passenger in place and for protecting the passenger, and the passenger shall also be required to wear a properly fitted and fastened helmet;
- (3) Shall have reflectors in the front and back and shall when in use at nighttime be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front, with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear, and a red reflector shall be mounted on the rear;
- (4) Shall be equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that it shall not be equipped with any siren or whistle, nor shall any person use a siren or whistle during operation;
- (5) All persons are required to wear a protective helmet; and
- (6) No person shall operate at speeds faster than are reasonable or proper, which in no case shall be in excess of legal speed limits, unless participating in an officially sponsored or sanctioned rally or road race, and in no event shall speed of operation exceed 20 miles per hour.

§53-4 Low-speed electric and motorized bicycles and scooters for employment.

- A. The employer or principal of any employee, agent, or contractor, while utilizing low-speed electric bicycle, motorized bicycle, or low-speed scooter for hire by, for, or on behalf of such person or business shall wear a reflective vest and have affixed a tag, license, decal, or marking affixed to low-speed electric bicycle, motorized bicycle, or low-speed scooter clearly identifying such low-speed electrical bicycles as being operated for hire buy, for or on behalf of such person or business.
 - (1) For the purposes of this section, to "hire" includes persons or businesses whose employees or agents utilize low-speed electric bicycle, motorized bicycle, or low-speed scooter to deliver their messages, parcels, food, and/or other merchandise or good during the time such low-speed electrical bicycles are being used for such purpose, whether or not such low-speed electric bicycle, motorized bicycle, or low-speed scooter are owned, leased, or rented by the person or business.
- B. A person's and/or a business's failure to comply with this Section shall be considered a violation of this Section and any violation of this Section by an operator of a low-speed electric bicycle, motorized bicycle, or low-speed scooter while in the hire of a person or business shall be considered a separate violation of this section by such person or business.

§53-5 Abandonment of low-speed electric and motorized bicycles and scooters.

- A. It shall be unlawful for any person, user, or owner to abandon any low-speed electric bicycle, motorized bicycle, and low-speed electric scooter. Such shall be deemed abandoned pursuant to the following:
 - (1) It has been parked for a period of 48 or more consecutive hours, except in a designated or approved marked area; or
 - (2) It appears visually to be in a state of prolonged disuse, including, but not limited to, that it has deflated tires, damaged or missing battery or equipment making it inoperable, or accumulated debris; or
 - (3) It is parked, placed, or left on the roadway or in any public right-of-way in violation of this Chapter.
- B. In the event a any low-speed electric bicycle, motorized bicycle, and low-speed electric scooter is deemed to be abandoned, the Department of Public Works, the Police Department, and the Department of Code Enforcement shall have the authority to seize and impound same and remove from any public space.

§53-6 Motorized bicycles registration, insurance, and license.

- A. Motorized bicycles can only be operated by licensed operators on the roadways in accordance with the New Jersey Motor Vehicle Code. Operators are required to wear a protective helmet pursuant to applicable State law.

§53-7 Violations and penalties for bicycles.

- A. Any person having not yet attained the age of 18 who violates any provision of §53-2 shall be subject to the penalties provided in Subsection B. Any parent or guardian of any person not yet having attained the age of 18 years whose child or ward shall violate any of the provisions of §53-2 shall on the first violation receive written notification of the violation, and, on the second violation, he or she shall be summoned to appear before the Chief of Police or his or her duly authorized representative. Upon the third or subsequent alleged violation, he or she shall be issued a Summons as provided in Subsection B.

B. Penalties.

- (1) Any person having not attained the age of 18 in violation of §53-2 shall, for the first offense, be reprimanded in writing by the Police Department, with a copy of such reprimand addressed to the parents or guardian of the offender stating the nature of the violation and warning that a repetition of the violation, or any other violation, must be prevented by the parents or guardian, and further advising that a repetition may result in a complaint to the Chancery Division, Family Part of Ocean County and against the parent or legal guardian.
- (2) Any person not having attained the age of 18 who commits a second violation of §53-2 shall be summoned to appear before the Chief of Police or his or her duly authorized representatives and shall then and there have his or her privilege to operate a bicycle in the Township suspended for such reasonable period as the Chief of Police or his or her duly authorized representative may impose. This suspension shall be enforced by the parent or legal guardian of the person charged, and the parent or legal guardian shall be summoned to accompany such person at his or her appearance before the Chief of Police or his or her duly authorized representative.
- (3) Any person having not attained the age of 18 who violates any of the provisions of §53-2 for the third time shall have a complaint made against him or her in the Chancery Division, Family Part of Ocean County, such complaint charging the person with juvenile delinquency. In addition, a complaint shall issue against the parent or legal guardian of such child and upon conviction of a violation of the provisions of this chapter, the parent or legal guardian shall be fined in an amount not to exceed \$100.
- (4) Any person having attained the age of 18 or over who violates any of the provisions of §53-2 shall upon conviction be fined not more than \$100 or be imprisoned in the Ocean County Jail for a period not to exceed 15 days or shall suffer both such fine and such imprisonment.

§53-8 Penalties and violations for electric and motorized bicycles and scooters.

- A. Persons 18 years or older in violation of §53-3 through §53-6 shall be subject to the penalties provided in Subsection C and court appearance shall be mandatory.
- B. Any person having not attained the age of 18 in violation of §53-3 through §53-6 shall be subject to the following.
- (1) For the first offense may pay the applicable fine set forth in Subsection C without a court appearance and shall be reprimanded in writing by the Police Department, with a copy of such reprimand addressed to the parents or guardian of the offender stating the nature of the violation and warning that a repetition of the violation, or any other violation, must be prevented by the parents or guardian, and further advising that a repetition may result in a complaint to the Chancery Division, Family Part of Ocean County and against the parent or legal guardian.

(2) For the second offense and subsequent offenses shall be subject to the penalties provided in Subsection C and court appearance shall be mandatory. In addition, the offender may be summoned to appear before the Chief of Police or his or her duly authorized representatives and may then and there have his or her privilege to operate electric and motorized bicycles and scooters in the Township suspended for such reasonable period as the Chief of Police or his or her duly authorized representative may impose. This suspension shall be enforced by the parent or legal guardian of the person charged, and the parent or legal guardian shall be summoned to accompany such person at his or her appearance before the Chief of Police or his or her duly authorized representative.

B. Each person violating any provisions of §53-3 through §53-6 shall, upon first conviction, be liable for a fine of \$50.00, and, upon second conviction, shall be liable for a fine of \$100.00. Any third or subsequent conviction shall be punishable in accordance with Chapter 1, General Provisions, Article III, General Penalty.

SECTION II

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION III

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.


Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Monday, July 7, 2025, at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Monday, August 4, 2025, at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.



Danielle La Valle, RMC
Municipal Clerk

First Reading: July 7, 2025
Publication: July 14, 2025
Second Reading: August 4, 2025
Final Publication: August 8, 2025
Effective: August 8, 2025

CERTIFICATION

I, **DANIELLE LA VALLE, RMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 25-12C was duly adopted by the Board of Commissioners at their meeting held on Monday, August 4, 2025, at 4:00 p.m.

Danielle La Valle, RMC
Municipal Clerk

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ORDINANCE 25-11C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 172, WHICH PERTAINS TO STREETS AND SIDEWALKS

STATEMENT OF PURPOSE

This Ordinance amends Chapter 172 to revise the driveway regulations.

SECTION I

§172-20A is repealed and replaced as follows.

- A. Each lot as described on the Municipal Tax Map which is developed with a single-family or multifamily dwelling shall be permitted curb cuts in accordance with the following regulations.
- (1) All lots shall be permitted 2 depressed curb or driveway openings with a maximum total width of 28 feet for both openings. Where 2 openings are installed, there shall be a minimum of 18 feet between the 2 openings. In the case of a multi-family lot, each unit is permitted 1 opening with a maximum of 20 feet and there must be a minimum of 18 feet between each unit opening.
 - (2) Curb cuts cannot be placed in such a manner as to preclude public street parking where designated or required by the Township.

SECTION II

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION III

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.


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