

ORDINANCE NO. _____ - 2009

**ORDINANCE OF THE BOROUGH OF POINT PLEASANT BOROUGH,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER XIX OF THE CODIFIED
ORDINANCES OF THE BOROUGH OF POINT PLEASANT
BOROUGH ENTITLED "LAND USE", IN PARTICULAR SECTION 19-
33.5 ENTITLED "PERMITTED USES" OF THE WIRELESS
TELECOMMUNICATIONS TOWERS AND ANTENNAS SECTION**

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, and State of New Jersey (the "Borough"), as follows:

SECTION 1. The Borough has previously amended Chapter XIX of the Borough Code entitled "Land Use" to include new Section 19-33 entitled "Wireless Telecommunications Towers and Antennas".

SECTION 2. Based upon recommendations of the Borough's Consultant, the Borough Council hereby amends Section 19-33.5 entitled "Permitted Uses" to include Block 233, Lot 13, Bridge Avenue, Point Pleasant, New Jersey, as a site upon which cellular antennas and towers can be constructed as a "permitted use".

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. Severability: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5. Effective Date: This ordinance takes effect after second reading and publication as required by law.

ATTESTED TO BY:

APPROVED:

DAVID A. MAFFEI,
Clerk/Administrator

MARTIN KONKUS, Mayor

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Borough Council of the Borough of Point Pleasant on first reading at meeting held on the **19th** day of **May, 2009**. The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the **16th** day of **June, 2009**, at **8:00 p.m.**, or as soon thereafter as the matter may be reached, at the Municipal Building located at 2233 Bridge Avenue, Point Pleasant, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

DAVID A. MAFFEI,
Clerk/Administrator

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

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[Cell Tower Ordinance Review (2009) – GL#17959]