

**Ord. #48-2008**

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE  
TO AMEND AND SUPPLEMENT CHAPTER 400  
ENTITLED "LAND USE", RELATIVE TO DOCKS, PIERS  
AND BOATHOUSES OF THE CODE OF THE TOWNSHIP  
OF MOUNT OLIVE**

WHEREAS, the Township Council has recently undergone a study as to how the Township should deal with docks, piers and boathouses which are located in Budd Lake; and

WHEREAS, as a result of that study and significant public discussion, it has been decided that certain amendments are required.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, County of Morris, and State of New Jersey:

**SECTION 1.** Chapter 400 entitled "Land Use", Section 400-6 entitled "Terms defined", is hereby amended and supplemented by the deletion of the term "Dock" and "Main Walk".

**SECTION 2.** Chapter 400 entitled "Land Use", Section 400-6 entitled "Terms defined" is hereby amended and supplemented by the addition and revision to the following definitions:

**CATWALK**-any structure extending transversely from a pier or deck.

**DOCK/PERMANENT**-a permanent structure which may be comprised of a pier, catwalk, deck or a slip.

**DOCK/TEMPORARY**-a removable structure which may be comprised of a pier, catwalk, deck or a slip, which is placed in water between April 1 and removed by December 1.

**PIER**-Any structure extending lakeward of the bulkhead line for the purpose of mooring boats, gaining access to moored boats or for egress or ingress to the surface waters of Budd Lake, including any floating dock or segmented dock used for the above purposes.

The term "dock" shall also include any appurtenances thereto,

including but not limited to boat lifts, personal watercraft ramps and/or similar devices.

**SECTION 3.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection B entitled “General Requirements”, Item (3), is hereby amended and supplemented as follows:

- (3) For the purpose of determining the exterior limits of docks or piers, any structure, including pilings driven independently of another structure, used for the mooring of boats shall be considered to be a part of a pier itself.

**SECTION 4.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection C entitled “Development controls for private docks and piers”, is hereby amended and supplemented to read as follows:

- C. Development controls for private docks and piers. No docks or piers shall be constructed, enlarged or extended without obtaining a zoning permit. A zoning permit will be issued for temporary dock the first year and the permit must be renewed every year thereafter to ensure conformance.

**SECTION 5.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection C entitled “Development controls for private docks and piers”, Items (3), (4), (6) and (8) are hereby amended and supplemented to read as follows:

- (3) No dock or pier shall have a width of less than four feet, exclusive of pilings or other structural members.
- (4) There shall be not more than one dock, pier or main walk for each lot.
- (6) No dock or pier shall provide permanent mooring facilities for more than four boats.
- (8) All docks/piers and components removed from the water must be in a secure place on land so as not to be reintroduced into the lake during the storage period.

**SECTION 6.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection E entitled “Development controls for quasi-public docks and/or piers”, Items (1), (3), and (5) are hereby amended and supplemented to read as follows:

- (1) No docks or piers as part of a quasi-public dock or pier shall be located within 8 feet of a lot line, nor shall a quasi-public dock or pier be located closer than 23 feet from a neighboring dock or other like facility.
- (3) Any structure for pedestrian access onto pier or dock shall not be less than four feet in width.
- (5) No dock, pier or deck may be utilized for overnight habitation.

**SECTION 7.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection F entitled “Additional regulations”, Item (2) is hereby amended and supplemented to read as follows:

- (2) No more than one vehicle per available boat mooring space is permitted, provided the property can effectively provide the parking as regulated in Section 400-57 Off-street parking and loading.

**SECTION 8.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection G entitled “Safety regulations”, Item (2) is hereby amended and supplemented to read as follows:

- (2) All permanent docks/piers and components must have six square inches of reflective material or bright flag, reflective in nature, approximately 36 inches off the water's/ice surface at the farthest point from land.

**SECTION 9.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection I entitled “Identification”, is hereby amended and supplemented to read as follows:

- I. Identification. All distinct sections of docks/piers and components, both permanent and temporary, must be identified with owner's name and dock location address.

(It is to be noted that there will be no fee charged by the Township in connection with this identification process, although recommended by the Planning Board)

**SECTION 10.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection J entitled “Private parties cleanup” is hereby amended and supplemented to read as follows:

J. All structures, whether temporary or permanent, shall be properly maintained and any refuse or debris shall be removed immediately.

**SECTION 11.** Chapter 400 entitled “Land Use”, Section 400-99.1 entitled “Docks, piers and boathouses”, Subsection K entitled “Plan review procedure; fees” Item (3) is hereby amended and supplemented to read as follows:

Fees for administrative approval shall be the same as those for zoning permits. Where site plan and/or variance approval by the administrative agency is required, fees shall be provided in Section 400-18 of this chapter.

**SECTION 12.** Chapter 400 entitled “Land Use”, Section 400-18 entitled “Fees”, Subsection B entitled “Site plan and subdivision review”, is hereby amended and supplemented by the addition of Item (11) to read as follows:

Site plan and/or variance for construction dock, pier, boathouse: two hundred fifty dollars (\$250). The escrow fee shall be seven hundred fifty dollars (\$750).

**SECTION 13.** All docks, permanent or temporary, shall, as of the date of the adoption of this ordinance, be deemed to be pre-existing non-conforming uses for purposes of applying the terms and conditions of this ordinance.

**SECTION 14.** This ordinance shall take effect in accordance with law.

TOWNSHIP OF MOUNT OLIVE

ATTEST:

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RAYMOND T. PERKINS  
Mount Olive Township Council President

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LISA M. LASHWAY  
Mount Olive Township Municipal Clerk