

**ORDINANCE NO. 2026-16 (1301)**

**AN ORDINANCE AMENDING CHAPTER 20, “CONSTRUCTION CODES, UNIFORM,” OF THE CODE OF THE BOROUGH OF LAVALLETTE TO REMOVE ALL REFERENCES TO THE BOROUGH OF SEASIDE PARK AND TO THE TERMINATED SHARED SERVICES AGREEMENT FOR SHARED CONSTRUCTION, ZONING, AND CODE ENFORCEMENT DEPARTMENTS**

**WHEREAS**, the Borough of Lavallette (the “Borough”) previously entered into a shared services agreement with the Borough of Seaside Park for a shared Construction Department, Zoning Department, and Code Enforcement Department (the “shared services agreement”), the terms of which were incorporated into Chapter 20 of the Code of the Borough of Lavallette; and

**WHEREAS**, the shared services agreement between the Borough of Lavallette and the Borough of Seaside Park has been terminated and is no longer in effect; and

**WHEREAS**, the Mayor and Council of the Borough of Lavallette have determined that it is in the best interest of the Borough to amend Chapter 20 of the Code to remove all references to the Borough of Seaside Park and to the terminated shared services agreement, and to provide that the Construction Department, Zoning Department, and Code Enforcement Department shall be established, maintained, and operated solely by and on behalf of the Borough of Lavallette;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Lavallette, in the County of Ocean and State of New Jersey, as follows:

**SECTION 1. Purpose and Intent.**

The purpose of this Ordinance is to amend Chapter 20, “Construction Codes, Uniform,” of the Code of the Borough of Lavallette to delete in their entirety all provisions, terms, and references relating to the shared services agreement between the Borough of Lavallette and the Borough of Seaside Park, and to remove all references to the Borough of Seaside Park within Chapter 20, the said shared services agreement having been terminated. It is the intent of this Ordinance that, following its adoption, the Construction Department, Zoning Department, and Code Enforcement Department shall be established, maintained, and operated solely by and on behalf of the Borough of Lavallette. This Ordinance does not amend or affect any other provision of the Code, including § 36-1 (Joint Purchasing Agreement) or § 41-1 (Mutual Aid), which remain in full force and effect.

**SECTION 2. Repeal of Shared Services Provisions.**

The following sections of Chapter 20, “Construction Codes, Uniform,” of the Code of the Borough of Lavallette, each of which sets forth or administers the terms of the terminated shared services agreement between the Borough of Lavallette and the Borough of Seaside Park, are hereby repealed in their entirety:

§ 20-5, “Shared services agreement.”

§ 20-6, “Term of agreement; fees; salaries; employment.”

§ 20-7, “Administration of shared departments.”

### **SECTION 3. Amendment of § 20-1, “Shared Enforcing Agency Established; Subcode Officials Designated.”**

Section 20-1 of the Code, which establishes a State Uniform Construction Code enforcing agency composed of the Borough of Lavallette and the Borough of Seaside Park, is hereby amended to delete all references to the Borough of Seaside Park, so that the enforcing agency shall be composed solely of the Borough of Lavallette. The section heading is amended to read “Enforcing agency established; subcode officials designated,” and the provision establishing the agency shall be amended to read substantially as follows:

*“There is hereby created a State Uniform Construction Code enforcing agency for the Borough of Lavallette, located in Ocean County, New Jersey. The Construction Department shall consist of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency. The Construction Official shall establish the day-to-day operating routines of the agency and shall coordinate the activities of the subcode officials.”*

Any cross-reference within § 20-1 or elsewhere in Chapter 20 providing that the terms of the shared services agreement are found in §§ 20-5, 20-6 and 20-7, or any substantially similar language, is hereby deleted.

### **SECTION 4. General Removal of References to Seaside Park Within Chapter 20.**

All remaining references within Chapter 20 of the Code to the “Borough of Seaside Park,” to “Seaside Park,” to the “shared departments,” to “shared” Construction, Zoning, or Code Enforcement Departments, or to the “shared services agreement” between the Borough of Lavallette and the Borough of Seaside Park, are hereby deleted. Each such reference shall be read and construed so as to refer solely to the Borough of Lavallette and its own Construction Department, Zoning Department, and Code Enforcement Department. The term “shared

department” or “shared departments,” wherever it appears in Chapter 20, is hereby amended to read “department” or “departments,” as applicable, of the Borough of Lavallette.

The Borough Clerk, with the assistance of the Borough Attorney and the Code codifier, is hereby authorized and directed to make such non-substantive conforming edits within Chapter 20 as are necessary to give effect to this Ordinance, including the renumbering of sections, correction of internal cross-references, and removal of any defined terms rendered obsolete by this Ordinance. This authorization is limited to Chapter 20 and shall not be construed to authorize any amendment to § 36-1 or § 41-1 of the Code.

**SECTION 5. Repealer.**

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

**SECTION 6. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be 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 hereof.

**SECTION 7. Effective Date.**

This Ordinance shall take effect immediately upon final passage, adoption, and publication in the manner provided by law.

**NOTICE**

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**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting held on the June 22, 2026. It was further considered for second reading and final passage at a meeting of the Borough Council held on the 6<sup>th</sup> day of July 2026 at 7:00 pm at the Council Chambers in the Municipal Building Complex located at 1306 Grand Central Avenue, Lavallette, New Jersey at which time and place persons desiring to be heard upon the same were given the opportunity to be heard.

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Donnelly Amico  
Municipal Clerk