

RESOLUTION

AMENDING RESOLUTION 20-56-331 ESTABLISHING RULES AND REGULATIONS FOR PROPER CONTROL AND REGULATION OF THE BEACHFRONT

WHEREAS, Ocean City is a resort island community where beaches have significant public and private use; and,

WHEREAS, the city has procured and contributed funding for the construction and maintenance of a comprehensively engineered beach and dune system; and,

WHEREAS, the city provides lifeguard protection and emergency services to beaches in Ocean City; and,

WHEREAS, the rental and use of cabanas is a service which benefits many beachgoers and which, if conducted in an orderly manner, can be a benefit to the city's residents, property owners and visitors; and,

WHEREAS, City Council deems it to be in the best interests of the city's residents, property owners and visitors to maintain an open access way along the beach for beach management, beach patrol members and other emergency personnel; to prevent damage to dunes; to ensure that all equipment can be safely removed from the beach on short notice in advance of extreme weather events; to prevent injuries when the beaches are closed; to minimize obstacles and conflicts between official vehicles and certain beach equipment; and to minimize conflicts between owners of cabana providers; and,

WHEREAS, Section 18-2.6 of the Revised General Ordinances of the City of Ocean City authorizes and empowers City Council to adopt by resolution such rules and regulations as may be necessary for the proper control and regulation of the beachfront and other areas and the water adjacent thereto; and,

WHEREAS, City Council adopted Resolution 20-56-331 establishing such rules, and now wishes to amend said rules;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

For purposes of this Resolution "Cabana" means a shelter (including a tent or canopy) of fabric or other material supported and sustained by support poles and typically anchored by tie-downs. This definition does not include umbrellas or Baby Pop-Up Tents, as defined herein.

For purposes of this Resolution "Baby Pop-Up Tent" shall be a small tent-like structure designed and used as a play pen or shelter to protect an infant or small toddler and shall not be considered to be a Cabana.

1. Cabanas shall be no larger than 10 feet by 10 feet and shall be separated from any other Cabanas and beachgoers by a minimum of 6 feet.
2. Cabanas and Baby Pop-Up Tents shall not obstruct any beach access path nor the emergency access corridor/trough which is parallel to and adjacent to the boardwalk and/or bulkhead, nor shall such items impede public use of the beach nor access to the ocean.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

3. Anchors or tie downs for Cabanas shall be located within the footprint of the Cabanas.
4. All Cabanas shall be collapsed and secured when the sustained wind speed renders it unsafe for the Cabanas to remain erected.
5. Set up and take-down of any Cabana is the sole responsibility of the person using and/or renting the Cabana.
6. During the summer of 2020, no Cabanas shall be erected between 1st Street Beach and 10th Street Beach.
7. Any Cabana left unattended on the beach one hour after sunset until sunrise as defined by NOAA for Ocean City, NJ each day will be deemed abandoned and shall be disposed of accordingly.
8. Cabana owners and/or operators shall be responsible to remove all Cabanas from the beach within 48 hours of being so instructed by the city in the advance of a weather event.

Peter V. Madden, Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

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City Clerk

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- ~~1. Cabanas shall be erected in a single line parallel to the ocean; shall be no larger than 8 feet wide by 6 feet deep by 6 feet high; and shall be separated from any other Cabanas by a minimum of 6 feet. The Cabanas shall be placed in the soft sand with the back of the Cabana within ten feet (10')~~ Cabanas shall be no larger than 10 feet by 10 feet and shall be separated from any other Cabanas and beachgoers by a minimum of 6 feet.
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