

Ordinance # 2011 - 23

An Ordinance of the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey, Amending Chapter 18.02.080 Entitled "Definitions" of the Township Code of the Township of Ocean.

Be it ordained by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

**SECTION I. Purpose**

A. The purpose of this Ordinance is to clarify that "ongrade" decks may be permitted in the rear yard setback area in all residential zones of the municipality.

**SECTION II.**

Entitled "Definitions" shall be deleted and replaced with the following:

"Decks" unroofed porches, decks, patios, or terraces constructed within the Township are prohibited from encroaching within the setback yard area established by the applicable Zoning Ordinance.

The following three examples are specifically exempted from complying with this definition:

1. Residential houses existing within five feet of the property line may construct a deck along the entire length of the house which faces the rear yard.

2. Any deck unroofed, porch, patio, terrace which does not at any point exceed 12 inches in height, as measured perpendicularly from the surface of the platform to the existing finished grade, and does not contain any handrails, permanent posts, extensions or fixtures rising above the surface shall be permitted to extend it to any portion of the rear yard setback area.

Any stairway, ramp or other device constructed to facilitate the existing structures on the property is restricted from encroaching within 12 inches from the property line and the total area of encroachment of the stairway, ramp or existing device into the building setback yards may not exceed twenty-five (25) square feet, nor may the encroachment of the stairway, ramp or existing device extend beyond 48 inches from the face of the building.

### **SECTION III.**

If any section, subsection, clause, phrase, any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

### **SECTION IV.**

This Ordinance shall take affect at the second reading and publication as may be required by law.

## NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a meeting held on the 13<sup>th</sup> day of October, 2011. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 10<sup>th</sup> day of November, 2011, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, 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.

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Diane B. Ambrosio, RMC  
TOWNSHIP CLERK

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Definitions.doc

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