

## **BOROUGH OF ALLENHURST**

### **ORDINANCE #2022-05**

#### **AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST, CHAPTER XXVI, SECTION 5 ENTITLED “GENERAL PROVISIONS” SUPPLEMENTED WITH NEW SECTION 5.14 ENTITLED “SOIL AND GROUNDWATER MOUNDING ANALYSIS REQUIRED”**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to augment its existing Borough Code concerning the Development Regulations, to address the effects of projects that intend to excavate deeper into the ground for basements, foundations or the like, as the same have a potential to create drainage and ground water diversion issues, by adding new section 26-5.14.

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Allenhurst that Chapter 26 of the Borough Code of the Borough of Allenhurst, be and is hereby amended and supplemented as follows:

**SECTION 1.** Chapter 26-5 entitled “General Provisions” be and is hereby supplemented with the addition of section 26-5.14 as follows:

#### **26-5.14 Soil and Groundwater Mounding Analysis Required**

- A. In all districts in the Borough, no permit for the erection, construction, modification or rehabilitation of any building foundation, basement, cellar, pool or structure, which seeks to alter the depth of or create a new basement, foundation or other ground penetrating construction, shall be issued unless a full depth soil boring, soil log, soil analysis and groundwater mounding analysis, including establishment of the depth to the seasonal high groundwater table is provided with any permit application. A report on the soil and groundwater conditions shall be prepared by a licensed geotechnical engineer and submitted as part of any proposed application, including any recommended construction details.
- B. The bottom elevation of any building foundation, basement, cellar or structure shall not be less than two (2') feet above the seasonal high groundwater elevation, as defined by January 1 through April 1 of each year.
- C.

**SECTION 2.** A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

**SECTION 3.** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

**SECTION 4.** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION 5.** This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE: Comm. McLoughlin -AYE; Mayor McLaughlin-AYE

**APPROVED:** January 25, 2022

**ADOPTED:** March 8, 2022

**CERTIFICATION**

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of an Ordinance adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on March 8, 2022.

***Donna M. Campagna***

Donna M. Campagna, RMC  
Borough Clerk/Administrator