

DISCUSSION ON CONSTRUCTION ORDINANCES BOROUGH OF AVALON



April 13, 2019

STEPS TAKEN TO DATE ON CONSTRUCTION ISSUES



- Council worked through the Summer of 2018 on a balance of equities between property owners/contractors rights, and added additional Code Enforcement personnel
- At August 8, 2018 AHLOA meeting, Mayor Pagliughi pledged the strictest construction regulations in the County are coming
- Council approved sweeping new regulations regarding all aspects of construction, with major ordinance changes regarding construction practices, hours, parking, noise, impact on neighboring properties, etc
- Meeting held with contractors January 17, 2019 to inform
- New construction rules and regulations go into effect Wednesday, May 1, 2019

ABOUT CONSTRUCTION CODES IN THE STATE OF NEW JERSEY, AND BOROUGH OF AVALON

- The State regulations took effect on January 1, 1977 when the UCC became effective
- State of New Jersey controls all licenses held by contractors, issues/revokes permits to builders
- By State law, Borough cannot restrict the number of construction permits requested by a contractor
- Construction permits are good for two years upon date of issuance
- Code violations enforced by Code officials Paul Short/Lisa Sasdelli, Avalon Police; dewatering also enforced by Avalon Public Works



AVALON NEW HOME CONSTRUCTION ACTIVITY MAY-JULY, 2018

May, 2018: New Home Permits Issued: 6
Active New Home Construction: 38 (0.75% of all properties)
Active Building Sites: 88 (1.75% of all properties)

June, 2018: New Home Permits Issued: 17
Active New Home Construction: 32 (0.63% of all properties)
Active Building Sites: 88 (1.75% of all properties)

July, 2018: New Home Permits Issued: 5
Active New Home Construction: 23 (0.45% of all properties)
Active Building Sites: 68 (1.35% of all properties)

Note: There are 5,028 residential properties in Avalon. Permits are also active for pools, renovations, decking/railing/siding/roofing, cabana/shed



COMMUNITY CONCERN/HOLIDAY CONSTRUCTION

Currently, Avalon has no language in its ordinance that restricts construction on any holiday.

Some, but not all, communities restrict actual construction on certain holidays.

2019 Ordinance:

No construction on Easter Sunday, Memorial Day Monday, Thanksgiving Day, Christmas Day, July 4th, and Labor Day.

If July 4th falls on a Friday, construction prohibited Friday-Sunday; if it falls on a Monday (and every Labor Day weekend) prohibited Saturday through Monday



COMMUNITY CONCERN/CONSTRUCTION DAYS AND HOURS

Currently, Avalon allows seven days, 7:00am until 7:00pm from September 15th through June 14th and Monday-Friday, 8:00am-7:00pm/Saturday 9:00am-7:00pm in season, no Sundays from Memorial-Labor Day weekends

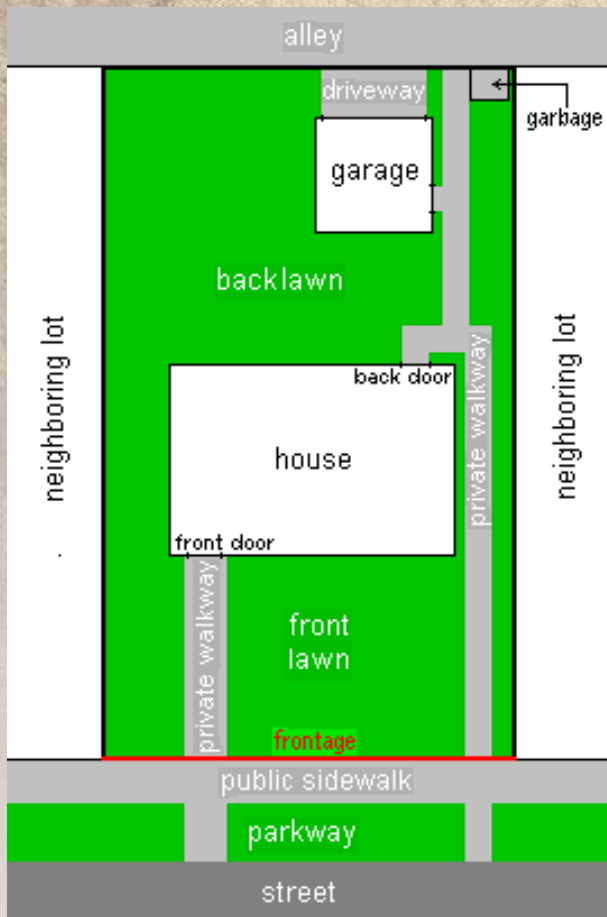
2019 Ordinance: Offseason is Monday after the 2nd Sunday in September through the Sunday before the 3rd Monday in June.

Offseason: Mon-Fri 7am-7pm; Sat 8am-5pm; Sun 9am-5pm

In-season: Mon-Fri 8am-5pm, Sat 8am-5pm (July+Aug, 8am-4pm, indoor only. Sunday: No construction



NEW INITIATIVE—CONSTRUCTION ZONE



Construction Zone requires contractor to make best decisions for dumpsters, trailers, etc.

In season, outside of allowable hours, contractor must use zone or property for storage, or be removed out of Avalon.

Off-season, a construction zone may be required by Code Enforcement (consult with Construction Official/Police), under certain circumstances eg: multiple construction sites in a block, impact on multiple adjacent homeowners

CONSTRUCTION DUMPSTERS

Ordinance requires all dumpsters to be placed either on the property, or in the Construction Zone designated adjacent to the property. Ordinance does not require smaller dumpsters as this would create a safety and quality of life issue with more trips needed to empty the dumpster (**permit needed for placement in construction zone**)



STORAGE OF CONSTRUCTION MATERIALS/SUPPLIES



Building materials and landscaping materials must be stored on the construction site. If storage is needed on the street, contractor must first receive permission from Code Enforcement and material can not be in the Construction Zone for a period longer than 24 hours.

NEW PROVISION—STOP WORK ORDER

Stop Work Order to be issued for:

- Continuing, repetitive, recurring violations
- Any violation of the Uniform Construction Code
- Threat to public health, safety and welfare
- Requires job to be shut down, notice to owner and contractor, written remediation plan to be considered by the Borough, entire job gets shut down

NEW PROVISION—PUBLIC NOTICE OF CONTRACTORS

Calgary Building Permit No. _____

**CONSTRUCTION SITE
CONTACT INFO**
IN CASE OF EMERGENCY CALL 911

Site address _____

24-hour site contact for urgent response

Phone: _____

Non-urgent concerns

Contractor: _____

Phone: _____

Email/website: _____

Call 311 to report unsafe conditions to The City of Calgary's Safety Response Unit

Go to calgary.ca/constructionsafety for more information on:
Public Protection Site Safety Plans
Advanced Weather Forecasting Systems
Construction site signage
Guides for construction sites in Calgary

20140502

Contractor required to post block/lot, physical address, contractor's name, emergency telephone number and email address. Sign will be required to confirm with Chapter 27/signs, must be visible from the street.

OTHER ITEMS TO NOTE IN ORDINANCE

20-2.14 regarding best practices to reduce the proliferation of dust of any kind by employees, trespassing on adjacent property, and obligations to immediately remediate damage to adjoining properties

Police Department and Prosecutor have developed a Community Service Provision for which the municipal judge may impose service to be performed by the contractor himself, not by a subordinate

You may report a potential violation of Borough Code to the Code Enforcement Office either through the municipal website, www.avalonboro.net, by calling Code Enforcement at (609) 967-5922, or after hours/weekends by calling the Police Department at (609) 967-3411

Code Enforcement and Construction have tables at today's Community Connections

A FEW OTHER HOUSEKEEPING ITEMS.....!!



New state legislation this year: Smoking is prohibited on the beaches and at public parks. Smoking is still permitted in parking lots.

Avalon's new Clean Water Initiative attempts to remove plastics and other non-recyclable materials from our waterways. As of June 1, 2019 merchants in Avalon and Stone Harbor will prohibit, in most cases, the use of single-use plastic bags, plastic straws, and Styrofoam products as they present dangers to our aquatic and shore bird habitats. Dr. Tedesco from the Wetlands Institute has worked with both communities on their initiatives.



**CLEAN WATER
INITIATIVE**

ONE FINAL THOUGHT.....



NJ.com reported on Monday, April 8th on the 30 towns with the lowest municipal tax rates in the State of NJ:

5. Walpack Township
4. Deal Borough
3. Stone Harbor
2. Cape May Point
1. Avalon

Council approved new budget 4/10: No increase in taxes, water/sewer, or beach tags