

**BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY**

**ORDINANCE 2021-29**

**AN ORDINANCE AMENDING CHAPTER 123:  
"BEACHFRONT AREAS AND ADJACENT WATERS" OF  
THE BOROUGH'S REVISED GENERAL ORDINANCES TO  
UPDATE CERTAIN WARNING SIGNAGE PERTAINING  
TO THE BOROUGH'S ROUGH SURF MANAGEMENT**

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**Mayor Fox** offered the following Ordinance and moved its introduction:

**WHEREAS**, the Borough of Bradley Beach, County of Monmouth, and State of New Jersey (the "Borough") determined that the current verbiage of certain rough surf warning signage at its beachfront does not comport with the language of the Borough Code; and

**WHEREAS**, the Borough Administrator has conferred with the Borough's Risk Manager and obtained the precise verbiage that should be utilized by the Borough on its warning signage to best avoid potential liability arising from the Borough's rough surf management; and

**WHEREAS**, an amendment to the Borough Code is necessary to implement the verbiage and signage recommended by the Borough's Risk Manager;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, and State of New Jersey as follows:

SECTION 1. Section 123-15 entitled "Erection of Warning Signs" of Article II entitled "Rough Surf Management" of Chapter 123 entitled "Beachfront Areas and Adjacent Waters" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 123  
BEACHFRONT AREAS AND ADJACENT WATERS**

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**ARTICLE II  
ROUGH SURF MANAGEMENT**

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**§ 123-15      Erection of Warning Signs.**


The Borough of Bradley Beach is hereby directed to erect signs at appropriate locations along the beaches, which shall state, "~~Unguarded Beaches~~" "~~Swim at Your Own Risk~~" "Unprotected Beach – No Lifeguard on Duty," from Labor Day to Memorial Day each year or whenever lifeguards are not on duty.


SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

**SO ORDAINED** as aforesaid.

  
ERICA KOSTYZ  
Municipal Clerk

  
LARRY FOX  
Mayor

Introduced: October 12, 2021

Date of Hearing and Adoption: October 26, 2021