

**ORDINANCE OF THE BOROUGH OF RED BANK,  
COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING  
CHAPTER 490-69, PLANNING AND DEVELOPMENT REGULATIONS,  
PERFORMANCE GUARANTEE**

Councilwoman Burnham offered the following ordinance and moved its adoption on final reading:

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter 490-69 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County is hereby amended and supplemented as follows:

**SECTION 1.** §490-69A Performance Guarantee, is hereby replaced as follows:

**CURRENT ORDINANCE TO BE REPLACED**

*Prior to signing of a final plat, issuance of a development permit, and/or the commencing of any clearing, grading or installation of improvements, the developer shall have filed with the Borough a performance guarantee.*

**REPLACEMENT LANGUAGE**

*Prior to recording of final subdivision plats or as a condition of final site plan approval or as a condition to the issuance of a development (zoning) permit, the Planning Board or Zoning Board of Adjustment may require and shall accept in accordance with standards herein a performance guarantee.*

**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3:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.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 Revised General Ordinances 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 or 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.

Seconded by Councilman DuPont and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Lee	( x )	( )	( )	( )
Councilwoman Burnham	( x )	( )	( )	( )
Councilwoman Horgan	( x )	( )	( )	( )
Councilwoman Schwabenbauer	( x )	( )	( )	( )
Councilman Ziprich	( x )	( )	( )	( )
Councilman DuPont	( x )	( )	( )	( )

First Reading: December 2, 2015

Final Reading: December 16, 2015