**ORDINANCE 2026-08**

**AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF COLTS NECK TOWNSHIP ESTABLISHING REGULATIONS REGARDING MOTORIZED BICYCLES AND LOW SPEED ELECTRIC SCOOTERS ON PUBLIC PROPERTY**

**WHEREAS**, In December 2025, Governor Murphy signed S4834/A6235 into law establishing regulations governing motorized bicycles and requiring certain riders to have registration, a license and insurance; and

**WHEREAS**, S4834/A6235 establishes which public right-of-ways and highways motorized bicycles, and electric scooters may operate; and

**WHEREAS**, S4834/A6235 authorizes municipalities to expressly prohibit the operation of motorized bicycles and low speed electric scooters on public land: and

**WHEREAS,** the Township Committee has determined it is in the best interest of the health, safety and general public welfare to prohibit the operation of motorized bicycles and electric scooters on Township owned property, trails, paths and/or greenways, except such vehicles may operate in parking lots and parking lot access roads.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of Colts Neck Township, County of Monmouth, State of New Jersey as follows: (additions to text indicated by ***underline***; deletions to text indicated by ~~strikeout~~).

**SECTION 1**: That Chapter 164 "Peace and Good Order" Article I "Miscellaneous Offences" Section 164-22 "All-terrain vehicles, snowmobiles and dirtbikes" is hereby amended and supplemented in the following parts only.

§ 164-22 All-terrain vehicles, snowmobiles and dirt bikes

The use or operation by any persons of all-terrain vehicles, snowmobiles, ~~and~~ dirt bikes, ***motorized bicycles and low speed electric scooters*** on Township-owned property, ***trails, paths and/or greenways*** is strictly prohibited at all times. ***Except motorized bicycles and low speed electric scooters may operate in parking lots and parking lot access roads.***

**SECTION II:** That Chapter 177 "Recreation Areas, Parks and Nature Preserves" Article II "Use of Parks" Section 177-21 "Prohibited Actions" be amended and supplemented in the following parts only.

§ 177-21 Prohibited actions

(A) While in the public parks and/or recreation areas regulated by this article in Colts Neck Township, all persons shall conduct themselves in a proper and orderly manner; and, in particular no person shall:

(12) Drive any vehicle, ***motorized bicycle or low speed electric scooter*** on any area except the paved park roads or parking areas or such areas as may, upon occasion, be specifically designated as temporary areas.

**SECTION III:** That Chapter 177 "Recreation Areas, Parks and Nature Preserves" Article IV "Freer Nature Preserve" Section 177-28 "Prohibited Actions" be amended and supplemented in the following parts only.

§ 177-28 Prohibited actions

(A) While in the Freer Nature Preserve, all persons shall conduct themselves in a proper and orderly manner; and, in particular, no person shall:

(11) Drive any vehicle, whether or not motorized, and including but not limited to bicycles, mopeds, motorcycles, motorbikes, ***motorized bicycles, low speed electric scooters***, etc., into or upon the Freer Nature Preserve.

**SECTION IV:** That Chapter 225 "Vehicles, Motor-Driven" Article I "Unlicensed Vehicles" Section 225-1 "Operation on public property" be amended and supplemented in the following parts only.

§ 225-1. Operation on public property.

It shall be unlawful for any person to operate any type of unlicensed motor-driven vehicle or conveyance, including but not necessarily limited to snowmobiles, two-wheel motor vehicles known as "Minibicycles", "trail bicycles",~~and~~ "motor scooters"***, "motorized bicycles", "low speed electric scooters",*** and four-wheel motor vehicles~~, commonly known as "go-carts,"~~ upon any public property or township-owned land in Colts Neck Township, New Jersey. ***Except motorized bicycles and low speed electric scooters may operate in parking lots and parking lot access roads.***

**SECTION V: Severability.**

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainer of this ordinance shall be deemed valid and effective.

**SECTION VI: Repealer.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

**SECTION VII: Inconsistent Ordinance.**

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

**SECTION VIII:** This ordinance shall take effect immediately upon passage, publication and filing according to law.

I hereby certify this Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of Colts Neck Township on the 29th day of April 2026. A public hearing will be held on May 13, 2026, 6:30 p.m. Town Hall, 1 Veterans Way, Colts Neck.

_____
Kathleen Capristo, Municipal Clerk

| **RECORD OF VOTE** | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | First Reading | | | | | Second Reading | | | | |
| | April 29, 2026 | | | | | May 13, 2026 | | | | |
| | M | S | Yes | No | NV | Ab | M | S | Yes | No | NV | Ab |
| Mayor Viola | | | X | | | | | | | | | |
| Deputy Mayor Buzzetta | | | X | | | | | | | | | |
| Rizzuto | | | X | | | | | | | | | |
| Torchia Buss | M | | X | | | | | | | | | |
| Tobia | | S | X | | | | | | | | | |
| M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent | | | | | | | | | | | | |

**RESOLUTION 2026-09**

**AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF COLTS NECK TOWNSHIP ESTABLISHING REGULATIONS REGARDING "COTTAGE FOOD OPERATIONS"**

**WHEREAS**, pursuant to N.J.A.C. 8:24-11.1 et seq., the New Jersey Department of Health has established a regulatory regime for the issuance of permits to cottage food operators, which are individuals engaged in the preparation and sale of home baked goods; and

**WHEREAS**, N.J.A.C. 8:24-11.1(e) specifically provides that "an applicant for a cottage food operator permit shall ascertain and comply with applicable local laws of the municipality in which the applicant seeks to operate a cottage food operation"; and

**WHEREAS,** in light of these regulations, the Township seeks to clarify its ordinances to allow for a properly licensed cottage food operator to operate from their home, while ensuring proper protections for the health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of Colts Neck Township, County of Monmouth, State of New Jersey as follows: (additions to text indicated by ***underline***; deletions to text indicated by ~~strikeout~~).

**SECTION 1**: That Chapter 124 "Food Establishments" is hereby amended and supplemented to add the following new article

***ARTICLE II COTTAGE FOOD OPERATIONS***

***§ 124-8 Purpose.***

*A. Pursuant to N.J.A.C. 8:24-11.1, the New Jersey Department of Health has established regulatory regime for the licensing of cottage food operators in New Jersey.*

*B. N.J.A.C. 8:24-11.1(e) specifically provides that "an applicant for a cottage food operator permit shall ascertain and comply with applicable local laws of the municipality in which the applicant seeks to operate a cottage food operation"; and*

*C. This Ordinance is intended to set forth the local laws of the municipality relating to cottage food operators as expressly authorized by State regulation.*

*D. The Township seeks to clarify its ordinances to allow for a properly licensed cottage food operator to operate from their home, while ensuring proper protections for the health, safety, and welfare.*

***§ 124-9 Definitions.***

***COTTAGE FOOD OPERATOR** means a person or entity who holds a New Jersey cottage food operator permit pursuan to N.J.S.A. 8:24-11.1 et seq.*

***COTTAGE FOOD PRODUCT** means a non-Temperature Control for Safety food that a cottage food operator prepares and includes:*

1. *Baked goods, including bread, rolls, biscuits, cakes, cupcakes, pastries, and cookies;*
2. *Candy, including brittle and toffee;*
3. *Chocolate-covered nuts and dried fruit;*
4. *Dried fruit;*
5. *Dried herbs, seasonings, and mixtures thereof;*
6. *Dried pasta;*
7. *Dry baking mix;*
8. *Fruit jams, fruit jellies, and fruit preserves;*
9. *Fruit pies, fruit empanadas, and fruit tamales (excluding pumpkin);*
10. *Fudge;*
11. *Granola, cereal, and trail mix;*
12. *Honey and sweet sorghum syrup;*
13. *Nuts and nut mixtures;*
14. *Nut butters;*
15. *Popcorn and caramel corn;*

16. *Roasted coffee and dried tea;*
17. *Vinegar and mustard;*
18. *Waffle cones and pizzelles; and*
19. *Upon written application to the Public Health and Food Protection Program, other non-TCS food.*

*§ 124-10 Cottage Food Operations.*

A. *Prior to any person commencing operations as a cottage food operator or engaging in the production of any cottage food product, a personal shall submit the following documentation to register the operation with the Colts Neck Health Officer;*
   1. *Zoning Approval for the Cottage Food Operator's License from the Zoning Officer*
   2. *An approved state Cottage Food Operator's License pursuant to N.J.A.C. 8:24-11*
   3. *Colts Neck Township mercantile license for the Cottage Food Operation*
   4. *If a person proposes to engage in cottage food operations from a property that is a condominium, townhome, co-op, or other form of multi-family housing, and said property is subject to the provisions of the Condominium Act, N.J.S.A. 46:6B-8.1 et seq. and/or Planned Real Estate Development Full Disclosure Act, N.J.S.A. 45:22A-21 et seq., the person shall provide either a) documentary evidence that the proposed cottage food operation is permitted by the Association's governing documents, or b) a letter from the Association or its agent approving the cottage food operation.*
   5. *A written certification verifying that the person is the owner of the property from which the cottage food operations is proposed, or a written certification from the property's owner authorizing the cottage food operation.*

B. *Colts Neck Township Zoning Officer shall issue a Zoning Approval authorizing the requested cottage food operations, provided:*
   1. *The person has provided all documentation and information required by subsections (A) above and (C) below;*
   2. *The proposed cottage food operation comports with the State's regulations at N.J.A.C. 8:24-11; and*
   3. *The location of the proposed cottage food operation is within a zone that authorizes cottage food operations, or the person has a land use board approval sanctioning same.*

C. *Cottage food operator within the Township shall comply with the following regulations:*
   1. *No Cottage Food sales shall take place from the home of the Cottage Food Operator.*
   2. *Permissible Cottage Food Sales may take place at the home of the consumer, farm market or farm stand or at a NJ Temporary Retail Food Establishment*
   3. *No Cottage Food sales shall be made to (i) a person who is not the customer, (ii) to a wholesale establishment, (iii) to a retail establishment, (iv) by U.S. Postal Mail or common carrier or (v) Interstate Commerce outside the U.S.*
   4. *Deliveries to consumers' homes as permitted by N.J.A.C. 8:24-11.3(a)(1)(ii) shall be conducted only by the operator or resident of the operator's household and shall not be conducted by a non-resident employee or by a delivery service including on-demand services, except as permitted by N.J.A.C. 8:24-11.2(b).*
   5. *A cottage operator shall not erect or install any signage at the residence where the cottage food products are produced advertising or otherwise relating to the operations of the cottage food operator.*
   6. *No displays or samples of the cottage food products produced at a residence shall be permitted anywhere in public view.*
   7. *The cottage food business is operated by or employs only a resident or residents who are permanent full-time residents of the dwelling unit and no other persons;*
   8. *No nonresident employees, customers, or business invitees or guests shall visit the dwelling for cottage food operators.*
   9. *There shall be no change to the exterior of buildings or structures because of the use, and no outside appearance of a business use, including but not limited to parking, storage, signs or lights;*

10. ***The cottage food operates no equipment or process that creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with telephone, radio or television reception, detectable by neighboring residents;***
11. ***The cottage food operations does not require any increased or enhanced water supply;***
12. ***The quantity and type of solid waste disposal is the same as other residential uses in the zone district;***
13. ***The capacity and quality of effluent is typical or normal residential use and creates no potential or actual detriment to the individual subsurface disposal system or its components;***
14. ***Delivery trucks shall be limited to U.S. Postal Service, United Parcel Service, Federal Express and other delivery services providing regular service to residential uses in the zone district; and***
15. ***All vehicular traffic to and from the cottage food operation shall be limited in volume, type and frequency to what is normally associated with other residential uses in the zone district.***

**SECTION II:** That Section 102-84 "A-1 and A-2 Agricultural Residential Districts; A-3 Village Residential District" Subsection C "Accessory uses" be amended and supplemented to add the following part only

C. Accessory uses:

***(21) Cottage food operations, subject to Chapter 124 Food Establishments, Article II Cottage Food Operations.***

**SECTION III:** That Section 102-85 "A-4 Mixed Housing District" Subsection C "Accessory uses" be amended and supplemented to add the following part only:

§ 102-85 C. Accessory uses:

***(9) Cottage food operations, subject to Chapter 124 Food Establishments, Article II Cottage Food Operations.***

**SECTION IV:** That Section 102-85.3 "A-7 Residential District" Subsection C "Accessory uses" be amended and supplemented to add the following part only:

C. Accessory uses:

***(14) Cottage food operations, subject to Chapter 124 Food Establishments, Article II Cottage Food Operations.***

**SECTION V:** That Section 102-86 "AG Agricultural District" Subsection D "Accessory uses" be amended and supplemented to add the following part only:

§ 102-86 D. Accessory uses:

***(20) Cottage food operations, subject to Chapter 124 Food Establishments, Article II Cottage Food Operations.***

**SECTION VI: Severability.**

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainer of this ordinance shall be deemed valid and effective.

**SECTION VII: Repealer.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

**SECTION VIII: Inconsistent Ordinance.**

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

**SECTION IV:** This ordinance shall take effect immediately upon passage, publication and filing according to law.

I hereby certify this Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of Colts Neck Township on the 29th day of April 2026. A public hearing will be held on May 13, 2026, 6:30 p.m. Town Hall, 1 Veterans Way, Colts Neck.

_____

Kathleen Capristo, Municipal Clerk

| **RECORD OF VOTE** | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | First Reading | | | | | Second Reading | | | | |
| | April 29, 2026 | | | | | May 13, 2026 | | | | |
| | M | S | Yes | No | NV | Ab | M | S | Yes | No | NV | Ab |
| Mayor Viola | | | X | | | | | | | | | |
| Deputy Mayor Buzzetta | | | X | | | | | | | | | |
| Rizzuto | | S | X | | | | | | | | | |
| Torchia Buss | | M | X | | | | | | | | | |
| Tobia | | | X | | | | | | | | | |

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

**ORDINANCE 2026-10**

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 34 FEDERAL KEY, COLTS NECK, NEW JERSEY 07722 AND DESIGNATED AS BLOCK 41.01, LOT 43, ON THE TAX MAP OF COLTS NECK TOWNSHIP FOR PURPOSES OF MAINTAINING AFFORDABLE HOUSING**

**WHEREAS,** Colts Neck Township, a body politic and corporate of the State of New Jersey, with an address of One Veterans Way, Colts Neck, New Jersey 07722 (the "Township"), is the owner of certain real property located at 34 Federal Key, Colts Neck, New Jersey 07722, and designated on the Township's official tax map as Block 41.01, Lot 43 (the "Property"); and

**WHEREAS,** the Property was a deed-restricted affordable housing unit governed by the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq. (the "UHAC Regulations"), and the Township intends to re-sell the Property as a deed-restricted affordable housing unit pursuant to the UHAC Regulations; and

**WHEREAS,** the Township intends to enter an Agreement of Sale (the "Agreement") with Keith Otten (the "Buyer"), an individual qualified to purchase the Property in accordance with applicable law, for the sale of the Property pursuant to such terms as outlined within the Agreement; and

**WHEREAS,** upon and subject to the terms and conditions set forth in the Agreement, the Township agrees to sell, transfer and convey the Property to the Buyer, and the Buyer hereby agrees to purchase and accept the Property from the Township; and

**WHEREAS,** in total consideration for the Property to be transferred by the Township to the Buyer, the Buyer shall pay to the Township, and the Township shall accept from the Buyer, the sum of Two Hundred Two Thousand Nine Hundred Twenty DOLLARS $202,920.00 (the "Purchase Price"); and

**WHEREAS,** the Township Committee has reviewed the terms of the proposed Agreement, including the Purchase Price, and has determined that it is in the best interest of the Township to proceed with the sale of the Property under the terms and conditions set forth therein.

**NOW, THEREFORE, BE IT ORDAINED,** by the Township Committee of the Township of Colts Neck, County of Monmouth, State of New Jersey as follows:

1. **RECITALS INCORPORATED:** The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.

2. **FINDINGS:** The Mayor and Township Committee find that it is in the best interest of the Township to sell the Property to Keith Otten for purposes of maintaining affordable housing restrictions on the Property.

3. **AUTHORIZATION OF SALE:** The Mayor and Township Committee specially authorize any and all necessary and appropriate actions by the Mayor, Municipal Clerk, the Township Attorney, the Township's Affordable Housing Administrator, and any other appropriate municipal officials, prior to closing to consummate the transaction, and to satisfy all terms as set forth within the Agreement, including, but not limited to, the execution of the Agreement and the execution of the closing documents required by the Agreement.

4. **IDENTIFICATION OF PROPERTY:** The subject property is designated as Block 41.01, Lot 43 on the tax map of Colts Neck Township.

5. **PURCHASE PRICE:** The Township is hereby authorized to sell the Property to the Buyer for the purchase price of $202,920.00, subject to the terms and conditions set forth in the Agreement. The Purchase Price shall be paid in the following manner:
   (a) $5,000.00, within ten (10) days of the full execution of the Agreement (the "Deposit"); and
   (b) $197,920.00, at the time of Closing (as defined by the Agreement) after making such customary adjustments as are necessary and appropriate pursuant to the Agreement. This Purchase Price shall be paid by Title Company Check.

6. **OFFICIALS AUTHORIZED:** All appropriate officials of the municipality, including, but not limited to, the Mayor, Municipal Clerk, Township Attorney, and the Township's Affordable Housing Administrator.

7. **REPEALER:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

8. **SEVERABILITY:** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

9. **EFFECTIVE DATE:** This Ordinance shall take effect upon passage and publication as required by law.

**BE IT FUTHER RESOLVED,** that a copy of this Ordinance, certified by the Township Clerk to be a true copy, be forwarded to each of the following:

1. Kathleen Capristo, Township Administrator
2. Meghan Bennett, Esq., Township Attorney
3. Thomas Trautner, Esq., Affordable Housing Attorney
4. Keith Otten, 44 New Street, Colts Neck, New Jersey 07722

I hereby certify this Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of Colts Neck Township on the 13th day of May 2026. A public hearing will be held on May 27, 2026, 6:30 p.m. Town Hall, 1 Veterans Way, Colts Neck.

_____

Kathleen Capristo, Municipal Clerk

| **RECORD OF VOTE** | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | First Reading | | | | | Second Reading | | | | |
| | May 13, 2026 | | | | | May 27, 2026 | | | | |
| | M | S | Yes | No | NV | Ab | M | S | Yes | No | NV | Ab |
| Mayor Viola | | | | | | | | | | | | |
| Deputy Mayor Buzzetta | | | | | | | | | | | | |
| Rizzuto | | | | | | | | | | | | |
| Torchia Buss | | | | | | | | | | | | |
| Tobia | | | | | | | | | | | | |

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent