

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 568-2025

**AN ORDINANCE AMENDING CHAPTER 194 OF THE CITY CODE
REGARDING CONSTRUCTION ACTIVITIES TO REQUIRE
NOTIFICATION OF WORK TO ADJOINING OWNERS SHARING
A PARTY WALL**

WHEREAS, Chapter 194 of the Cape May City Code sets forth regulations for construction activities in the City of Cape May; and

WHEREAS, having considered the matter, the Cape May City Council has determined that it is appropriate to amend the code to confirm a notification process for adjoining owners when construction work is being performed by an adjoining owner sharing a party wall; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May as follows:

Section 1. Section 194 of the Cape May City Code is hereby amended as follows to include the following NEW SECTION:

ARTICLE IV Notification of Work to Owners Sharing a Party Wall

§ 194-24 Notification of Work to Owners Sharing a Party Wall.

- A. **Statement of Purpose.** The purpose of this section is to promote the health, safety, and general welfare of the residents of the City by establishing reasonable notice requirements for construction activities involving properties that share one or more party walls with adjoining structures.

The City finds and declares that construction, renovation, or demolition work on buildings with shared or adjoining walls has the potential to impact neighboring properties, both structurally and functionally. In order to reduce conflicts, preserve the integrity of shared structures, and foster cooperative relationships among property owners, it is the intent of this section to require that any property owner or applicant proposing such work provide timely written notice to all adjacent property owners with whom a party wall is shared.


This section shall be known as the "Good Neighbor Construction Notice" provision and is enacted to ensure that neighboring property owners are properly informed prior to the commencement of any construction activity that may affect a shared wall or create a condition of potential risk or disruption. It is the policy of the City to encourage proactive communication and responsible construction practices that reflect respect for the rights and concerns of adjoining owners.

- B. Applicability. This notification requirement shall be applicable to any dwelling unit having at least one party wall in common with an adjacent dwelling unit that is proposing new construction, demolition, any addition, or any other development requiring the issuance of a construction permit. For example, and not by way of limitation, condominium units sharing a party wall with another unit, semi-detached dwellings and quads in the R4 zone are required to comply with these notice provisions. This section does not apply to properties that merely share a common property line without a common party wall.
- C. Notice Required. Prior to the commencement of any work described above to a dwelling unit sharing a party wall with another unit, the owner shall notify the owner(s) of any unit(s) sharing a party wall of the proposed work. The notification shall include a common sense description of the work to be conducted and be sent in writing, by certified mail, at least 14 calendar days prior to the commencement date of the activity. The notification shall be sent to each property sharing a party wall and to an address for each such property outside the City as shown on the records of the City Tax Assessor for said property if such exists.
- D. Exemptions. To the extent the proposed work is piling driving and/or demolition, the owner shall comply with the provisions of §194-20(C) which require notice to owners within 500 feet. For the avoidance of any doubt, compliance with the more expansive notice required under §194-20(C) will be deemed to incorporate the notice set forth in this section and the owner will not be required to duplicate notice.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 3. This ordinance shall take effect 20 days after passage and publication, according to law.

ATTEST:



Erin C. Burke, City Clerk

CITY OF CAPE MAY, a municipal corporation of
the State of New Jersey

BY: 

Zachary M. Mullock, Mayor

NOTICE

Ordinance 568-2025 was introduced at a Regular meeting of the City Council of the City of Cape May, held on June 17, 2025 and was further considered for final passage during a Regular meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on July 15, 2025 at 3:00 P.M. at which time a Public Hearing was held.



Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Meier	X					
McDade	X				X	
Bodnar	X					X
Baldwin			X			
Mullock	X					

Introduced:	June 17, 2025
1 st Publication:	June 25, 2025
2 nd Reading & Adoption:	July 15, 2025
Final Publication:	July 23, 2025
Effective Date:	August 12, 2025

