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Belmar Town Council Adopts Ordinance on Tourism Fee Assessment



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Published March 4, 2022 at 7:13 AM

Last Updated March 4, 2022 at 7:13 AM

BELMAR, NJ - Increased tourism fees on businesses were addressed during the Mayor & Town Council Meeting on March 1 at the Belmar Municipal Court. The meeting included the second reading and public hearing for an ordinance amending and supplementing Chapter III Tourism Development Commission of the Revised General Ordinances of the Borough of Belmar—tourism fee assessment.

The revised schedule calls for fees of \$250, \$500, and \$1,000 on summer rentals, bed & breakfasts, and rooming houses of 1-3, 4-9, and 10-plus bedrooms, respectively; the same three tiers for retail and restaurants, ranging from take-out to seating to banquet facilities; \$250 for charter boats; \$1,000 for hotels/motels; and higher fees for taxi owner and taxi driver licenses.

Members of the public who addressed the council were pointed with their questions and criticisms. One person asked, "Instead of raising tourism fees on resident businesses, why don't you raise the tourism fee on tourists? Double the parking fines. Raise fines for drinking alcohol on the beach." Mayor Mark Walsifer explained that costs for businesses are decreasing. "They had to pay into Tourism, and they had to pay into the SID [Special Improvement District] tax. We are eliminating the tax and increasing Tourism on some businesses. Everything that we do costs money." The mayor also said that if Belmar can find a way to make more money off events and reduce business costs further, it will.

This exchange prompted Council President James McCracken to ask Borough Attorney Patrick Varga if towns that rely on tourism are guided by a state law when it comes to setting parking fines and other fines, or if the borough can establish its own fines. The answer: yes, a cap exists on what can be charged. "Our ordinances have to get approval from Superior Court judges, and they are slow to increase fines for us," the mayor added. "They look at some of our fines, like the noise ordinance and alcohol on the beach, and they actually say we're overcharging people. It's a fine balance." The possibility of charging for beach badges for people 14 and older is under consideration.

A supposed lack of communication was on the mind of a member of the public who spoke on behalf of people with summer rental properties. Aside from the council having meetings with business owners about the increased fees, she asked if the council had spoken with any landlords of rental properties. Mayor Walsifer relayed that real estate agents who handle rental properties said the costs would be passed along to summer tenants. "But a lot of people own rental property who don't use realtors," the woman said. "You must have a list of people who have COs [Certificate of Occupancy] on their rental properties. This should be all inclusive. Every landlord should get equal opportunity. Things have gone up, like, 1,000 percent." She also made a comparison to "no taxation without representation."

Her comments confused the council, which responded that the meetings were advertised in the newspaper, but she countered that the mayor specifically said realtors were spoken to. "People that own rental properties that don't use a realtor also should have been sent an email. You must have emails because we all get COs. Why talk to only a percentage? Why talk to a realtor, but not...?" Still facing more confusion about why emails would have been sent, she stated, "We would like to be included in the discussion...we would like the opportunity to sit down with other landlords instead of using Facebook Messaging."

The mayor provided rationale and a path forward. "The increase on summer rentals is because people who rent for the summer benefit a lot from the tourism that we bring in. I understand that you wanted to be notified and notified of why we were doing the increase, so we'll try to make sure we have everybody's email addresses for summer rentals in the future. We tried to put it out there to everybody who was going to be involved. I sent out letters and emails. Some people didn't get it, and we're sorry about that."

Another member of the public asked how much money the council anticipated would be raised by the fees, and how the council arrived at “nice, round numbers.” The mayor estimated \$150,000 to \$170,000 and said the fees are based on calculating all costs to operate tourism, and then examining who benefits the most from tourism. “Those who benefit the most pay the most. We based it on whatever happens during the summer and summer rentals. Landlords benefit from the tourism things we do. Then, we divided it up equally and removed the tax on business owners.” The fees will be a transparent budget item and will be adjusted every year.

Upon the close of the public hearing, the council voted 5-0 to adopt the ordinance.

Councilman McCracken reflected that “this program [eliminating the SID tax and developing a funding source to promote tourism] got a rough rollout, but the merits of this new system will be much better. They will benefit business owners. It eliminates a tax. It combines two agencies that were working in Belmar, often competing against each other and maybe not communicating as effectively as they should have. It establishes an ongoing source of funding that can be calculated for years to come. It is streamlining government, much more transparent, and much more equitable.”

In placing his vote, Councilman Thomas Carvelli noted that the BBP (Belmar Business Partnership) used to bring its budget to the council and get its money, but it had additional costs being paid from that money. With the SID eliminated, that is no longer an issue. “BBP gets to collaborate on projects with the Tourism Department, and it’s more symbiotic.”

During the meeting’s public session, a member of the public questioned the status of dunes. “There are five towns on the coast between Sandy Hook and Cape May that don’t have dunes or a protective seawall. We’re one of them,” he said. “If we just planted grass after Sandy, which was almost 10 years ago, we’d have five- and six-foot-high natural dunes with a root system that goes all the way down through the beach. To not protect an entire municipality from inundation from the ocean...we’re rolling the dice on this. Something needs to be done. We’re going to lose the boardwalk again, and who knows if the state is going to pay to replace it next time?”

The mayor explained that he has discussed the situation with the Department of Public Works. He wanted to move the fence 20 feet out from the boardwalk and put another 20-foot fence 20 feet out further and build a dune between the two fences so that sand would not build up at the boardwalk. The state said no.

“The state said the only way to build dunes is to truck your own sand in and take it all off the beach, which is an impossibility. We have to deal with state regulations all the time on everything we do at the beach. We can’t do it at the boardwalk because sand ends up in the street. It’s a tough situation.”

Councilman Thomas Brennan added that the DEP (Department of Environmental Protection) said dune grass cannot be planted anywhere on the

beach. "After Sandy, towns had the option of dunes installed or beach replenishment. Belmar chose beach replenishment. Now, the Army Corps and DEP are reassessing, and it's possible they could tell us we have to put in dunes."

Greg Waxberg, a writer and magazine editor for The Pingry School, is also an award-winning freelance writer.