

TOWNSHIP OF MAPLEWOOD



ORDINANCE # 2754-14

AN ORDINANCE TO AMEND CHAPTER 239 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED "STREETS AND SIDEWALKS" (For Roads Under Moratorium)

Whereas, the Township of Maplewood has had continued issues with utility companies performing emergency street openings on newly paved roads under 5 year moratorium, and

Whereas, these openings adversely affect the viability of these roads, which can shorten their useful life, and

Whereas, the Township desires to have the streets restored after these street openings, and

Whereas these changes have been reviewed and accepted by the Planning and Engineering Committee, and

BE IT ORDAINED by the Township Committee of the Township of Maplewood, in the County of Essex and State of New Jersey that Chapter 239 of the Code of the Township of Maplewood entitled "Streets and sidewalks" shall be amended as follows:

FIRST: Section 239-15 – Pavement cuts; restoration is added as follows:

O. Specifications for opening streets under a 5 year moratorium.

- (1) If it is necessary to open a street that has been paved within the last 5 years of the permit application as defined under § 239-5, the permittee shall be required to complete final pavement restoration for the full width of the road to a distance of approximately 100 feet around the area of the openings.
- (2) The distances in either direction of the opening will be determined by the Township Engineer based on the proximity to other roadways or utility concerns. In most cases, final pavement restoration will encompass 50 feet in both directions of the opening for a full width of the existing road. The Township Engineer may allow resurfacing to the center line of the road only if the opening is completed within one lane and does not involve disturbance across the center line.
- (3) Temporary and final pavement restoration shall be completed in accordance with Township standards, and milling will entail the full length and width that must be repaved.
- (4) The restoration of the pavement shall be done no less than 60 days after the opening, and no more that 120 days after the opening. This will allow for any settlement in the trench to take place before the final pavement is placed. Exceptions to this time frame may be allowed by the Township Engineer dependent upon the time of year, which can affect the availability of paving materials.

SECOND: If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Whole Ordinances or parts of Ordinances inconsistent with provisions of this Ordinance are hereby repealed.

FOURTH: This Ordinance shall take effect on final passage and publication according to law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held July 1, 2014 and that the Committee met again on July 15, 2014 at 7:30 p.m. at the Police and Court Building, 1618 Springfield Avenue, Maplewood, New Jersey, at which time and place the Committee proceeded to consider said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk