

**ORDINANCE NO. 4-2011**

**AN ORDINANCE REGULATING STREET OPENINGS WITHIN THE CITY OF NORTHFIELD AMENDING ORDINANCE 2-2006**

**WHEREAS**, the City of Northfield has adopted Ordinance 2-2006, regulating street openings within the City of Northfield; and

**WHEREAS**, City of Northfield desires to lower the fee required for an applicant to obtain a permit to dig, excavate, open or in any manner interfere with or disturb a sidewalk, curb, gutter or driveway apron in the right-of-way of any municipal street within the City of Northfield; and

**WHEREAS**, the City of Northfield desires to protect the structural and visual integrity of the right-of-way of the municipal streets within the City of Northfield in the event a street opening is made on a street that only has been paved for five to eight years;

**WHEREAS**, the City Engineer has recommended that the required fee set forth in Ordinance 2-2006 to obtain a permit for an opening in any right of way within the City of Northfield be dependent on whether the opening is to be for the opening of a sidewalk on the right of way of any street only, or for the opening of curbing or driveway apron, or for the opening of any asphalt or other street surface; and

**WHEREAS**, the City Engineer has recommended certain technical specifications that an applicant must follow to restore a roadway in the event a street opening is made on a street that only has been paved for five to eight years; and

**WHEREAS**, the City Council of Northfield desires to follow the recommendations of its City Engineer and has determined that it is in the best interest of the public to follow the recommendations of its City Engineer;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Mayor and Council of the City of Northfield, County of Atlantic and State of New Jersey as follows:

**Section 1.** Ordinance 2-2006 is hereby amended at the sections specified below as follows:

**§ 100-3. Permit required.**

A. It shall be unlawful to dig, excavate, open or in any manner interfere with or disturb within the right of way of any municipal street within the City of Northfield for any purpose whatsoever without first securing a street opening permit. This shall include when a sidewalk is in the right of way.

B. In order to obtain a permit to open a Sidewalk in the Right of Way of Any Street, the applicant must file a completed application form with the City of

Northfield Zoning Office. Applications and Permits for the excavating or opening of a sidewalk in a right of way will be issued by the City of Northfield Zoning Office.

- C. In order to obtain a permit to open Curbing or Driveway Apron, the applicant must file a completed application form with the City Engineer. Applications and permits for the excavating or opening of curbing or driveway apron will be issued by the City Engineer.
- D. In order to obtain a permit to open any Asphalt or other Street Surface, the applicant must file a completed application form with the City Engineer. Applications and permits for the excavating or opening of any asphalt or other street surface will be issued by the City Engineer.
- E. The completed application form will also be examined by the City of Northfield Police Department, which will make all final determinations pertaining to traffic safety.

**§ 100-4. Application; fee.**

- A. Opening of Sidewalk on the Right of Way of Any Street.
  - (1) Application for permission to make any opening of any sidewalk on the right of way of any street only, shall be made to the City of Northfield Zoning Office. Such application shall be made on the required application form and shall be signed by the applicant and shall specify:
    - i. The applicant's name, address and phone number (local and out of town).
    - ii. The name, address and phone number of the person or firm who will be performing the work.
    - iii. The length and width of such excavation.
    - iv. The purpose for which the excavation is to be made.
    - v. The estimated time required to complete the work and restore the surface.
    - vi. Such other information as may be prescribed by the City of Northfield Zoning Office.
  - (2) A fee of \$50.00 shall be paid to the City Clerk c/o the City of Northfield Zoning Office prior to the issuance of the permit only for the opening of any sidewalk on the right of way of any street.
  - (3) The area to be opened, disturbed or undermined by the applicant shall be reviewed by the City of Northfield Zoning Office.
  - (4) Inspection will be performed by the Zoning/Building Officer of the

City of Northfield during regular business hours of the City of Northfield.

B. Opening of Curbing and Driveway Apron.

(1) Application for permission to make any opening of a curbing or driveway apron, shall be made to the City Engineer. Such application shall be made on the required application form and shall be signed by the applicant and shall specify:

- i. The applicant's name, address and phone number (local and out of town).
- ii. The name, address and phone number of the person or firm who will be performing the work.
- iii. The length and width of such excavation.
- iv. The purpose for which the excavation is to be made.
- v. The estimated time required to complete the work and restore the surface.
- vi. Such other information as may be prescribed by the City Engineer.

(2) A fee of \$250.00 shall be paid to the City Clerk c/o the City Engineer prior to the issuance of the permit for the opening of any curbing or driveway apron. Of this \$250.00, \$125.00 is for the application fee and \$125.00 is for the inspection fee.

(3) The area to be opened, disturbed or undermined by the applicant shall be reviewed by the City Engineer.

(4) Inspection will be performed by the City Engineer.

C. Opening of any Asphalt or other Street Surface.

(1) Application for permission to open any asphalt or other street surface, shall be made to the City Engineer. Such application shall be made on the required application form and shall be signed by the applicant and shall specify:

- i. The applicant's name, address and phone number (local and out of town).
- ii. The name, address and phone number of the person or firm who will be performing the work.
- iii. The length and width of such excavation.
- iv. The purpose for which the excavation is to be made.
- v. The estimated time required to complete the work and restore the surface.
- vi. Such other information as may be prescribed by the City Engineer.

(2) A fee of \$500.00 shall be paid to the City Clerk c/o the City Engineer prior to the issuance of the permit for the opening of any asphalt or other street surface. Of this \$500.00, \$200.00 is for the application fee and \$300.00 is for the inspection fee.

(3) The area to be opened, disturbed or undermined by the applicant shall be reviewed by the City Engineer.

(4) Inspection will be performed by the City Engineer.

**§ 100-5. Openings by public utilities; written notice required.**

A. The utility shall give written notice except in emergencies, to the City Engineer and the City of Northfield Zoning Office of all openings within the street rights-of-way which it desires to open. In the event of an emergency, oral notification is still required.

B. The City of Northfield Zoning Office shall issue a permit to open any sidewalks only in accordance with those conditions as outlined in § 100-4.

C. The City Engineer shall issue a permit to open any Asphalt or other Street Surface or to open Curbing and Driveway Apron in accordance with those conditions as outlined in § 100-4.

**§ 100-6.1. Streets paved between Five and Eight years after the paving of said street.**

A. Roadway restoration.

(1) Any street opening on a street that has been constructed, reconstructed, or overlaid between 5 and 8 years after the completion of said construction, reconstruction, or overlay, will require a half width paving from the centerline to the curb on the side affected by the opening. The trench shall be repaved with 6" gravel or similar sub base, 4" inch stabilized base (HMA19M64) to the surface. The half width of the street shall then be milled 1-1/2" inch deep from the centerline to the curb line a distance of 20' feet either side of the opening edges. A 1-1/2" inch surface course (HMA9.5M64) shall be machine placed and rolled as per New Jersey Department of Transportation Standard Specifications for Roads and Bridges - 2007 and as amended.

(2) At the opening crosses over the centerline of the street, the above street repair shall be full width restoration.

B. Calculation of Five to Eight Year Period.

- (1) The five-year period as articulated herein shall be calculated from December 31 of the year in which said road was constructed, reconstructed or overlaid and run five years thereafter. The end date of this five year period is the beginning date of the Five to Eight Year period articulated herein.
- (2) The eight-year period as articulated herein shall be calculated from December 31 of the year in which said road was constructed, reconstructed or overlaid and run eight years thereafter. The end date of this eight year period is the end date of the Five to Eight year period articulated herein.

**§ 100-7. Issuance of permit.**

A. Opening of Sidewalk on the Right of Way of Any Street.

- (1) The Zoning/Building Officer of the City of Northfield, upon receipt and examination of the application and the fee referred to hereinabove, shall issue a permit under his hand for the excavation of any sidewalk on the right of way of any street only. He shall specify on the permit that it is good for a thirty-day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair.
- (2) The applicant shall notify the City of Northfield Zoning Office 24 hours before the commencement of any work so that appropriate inspection can be made where required.

B. Opening of Curbing and Driveway Apron; Opening of any Asphalt or other Street Surface.

- (1) The City Engineer, upon receipt and examination of the application and the fee referred to hereinabove, shall issue a permit under his hand for the excavation. He shall specify on the permit that it is good for a thirty-day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair.
- (2) The applicant shall notify the City Engineer 24 hours before the commencement of any work so that appropriate inspection can be made where required.

**Section 2.** This Ordinance shall become effective upon final adoption and publication as prescribed by law

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Vincent Mazzeo, Mayor

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Mary Canesi, RMC, Municipal Clerk

The above Ordinance was introduced and passed on its first reading at a regular meeting of the Council of the City of Northfield, New Jersey held on May 24, 2011, and will be taken up for a second reading, public hearing and final passage at a meeting of said Council held on June 28, 2011 in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING:	May 24, 2011
PUBLICATION:	May 28, 2011
SECOND READING:	June 28, 2011
PUBLICATION:	July 2, 2011