

Borough of Matawan

Notice of Pending Ordinance 19-09

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on June 5, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on July 2, 2019 at 7:00 o'clock pm. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 19-09

AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MATAWAN CHAPTER 21 STREETS, SIDEWALKS, CURBS, DRIVEWAYS, SECTION 21-1, STREET, SIDEWALKS, CURB AND DRIVEWAY OPENINGS

WHEREAS, the Administrator and Borough Engineer have recommended the adoption of this revision to Chapter 21 – Streets, Sidewalks Curbs, Driveways, Section 21-1, Street, Sidewalks, Curb and Driveway Openings.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Matawan that it herewith amends and supplements Chapter 21 – Streets, Sidewalks Curbs, Driveways, Section 21-1, Street, Sidewalks, Curb and Driveway Openings as follows:

Chapter 21, Section 21-1.2 – Is hereby amended and supplemented as follows:

21-1.2 Permit Required; Fees.

No person shall make an excavation or place any form of construction in, over or upon any public road, street or right of way, curb, sidewalk or driveway under the jurisdiction of the Borough without first making application for and obtaining a written permit from the Borough Engineer on the prescribed forms and upon the minimum payment of the application fee of six hundred dollars (\$600.00).

Permission to make an opening in or tear up the surface, curb or sidewalk of a road or street shall not carry with it any right to make drainage, sewer, water, gas, oil, steam, electric or telephone connections. A separate permit to make such connections must be obtained from the proper officials having jurisdiction thereof. The applicant shall make application for and obtaining a written permit from the Borough Engineer, or appropriate official, on the prescribed forms and upon the minimum payment of the application fee of six hundred dollars (\$600.00).

If necessary and desirable in the opinion of the Borough Engineer, the permittee shall submit plans and specifications, in duplicate, which plans will indicate the extent of the proposed work within the

Borough. The permittee shall promptly submit a copy of the permit to the Chief of Police. The Chief of Police shall notify the appropriate volunteer fire companies and first aid squads.

All work shall be performed and paid for by the person obtaining the permit.

Chapter 21, Section 21-1.3(d) – Is hereby amended and supplemented as follows:

21-1.3(d) Inspection Fee Escrow.

d. Inspection Fee Escrow. The applicant shall post an escrow with the Borough Clerk to defray the cost of inspection of the street opening and paving restoration by the Borough Engineer. The fee shall be equal to ten percent (10%) of the cash performance guarantee amount with a five hundred dollar (\$500.00) minimum. The applicant shall notify the Borough seven (7) days prior to commencement of work and at the completion of the work.

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

BE IT FURTHER ORDAINED, if any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, this ordinance shall take effect upon final passage and publication as provided by law.