

TOWNSHIP OF WALL
ORDINANCE NO. 7 - 1998

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER IX, "STREETS AND SIDEWALKS", SECTION 9-1, "EXCAVATION OF STREETS", SUBSECTION 9-1.4, "EXCAVATION PROHIBITED", OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PERTAINING TO STREET OPENING PROCEDURES.

BE IT ORDAINED by the Township Committee of the Township of Wall, County of Monmouth, State of New Jersey as follows:

Section 1. Chapter IX, "Streets and Sidewalks", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Section 9-1, "Excavation of Streets", be and the same is hereby further amended and supplemented by the deletion therefrom of Section 9-1.4, "Excavation Prohibited", and the substitution therefor of the following:

"9-1.4 EXCAVATION REGULATIONS.

All street excavations in the Township shall be subject to the following regulations:

- a. The issuance of the permit shall be conditioned upon the posting by the applicant of a cash deposit to guarantee restoration in the amount of five hundred (\$500.00) dollars.
- b. The area excavated shall be restored with stabilized base course level and shall be made flush with the existing pavement.
- c. After the passage of sixty (60) days and prior to the expiration of ninety (90) days from the date of the completion of the work, the patched area shall be

restored by an infra-red pavement restoration process, or another pavement restoration process approved by the township administrator to an area two (2') feet outside of the edge of the original cut, and bituminous concrete surface shall be installed over the extended area.

d. The township engineer shall inspect the restoration work. If the restoration work is properly and timely completed, the township clerk shall return the restoration deposit to the applicant. Should the township engineer determine that the restoration work has not been properly completed, or if the restoration work is not completed within ninety (90) days, the restoration deposit shall be forfeited to the township.

e. In the case of an excavation for the purpose of a water main tap to be made by the public utilities department where a street opening is required to perform the water tap where a street opening is required to perform the water tap, the applicant shall not be required to post the restoration guarantee referred to in subparagraph a. herein, but the applicant shall be required to pay, in addition to the tapping fee and the street opening permit fee, an additional fee in an amount equal to the cost to be incurred by the township for the infra-red pavement restoration process to be utilized in the restoration of the street opening”.

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistencies.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such

judgment shall not effect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall take effect upon its passage and publication according to law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on February 11, 1998 and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on March 11, 1998 at 8:00 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk