

XVII

O.15.06

ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DEPTFORD, CHAPTER VIII, STREETS AND SIDEWALKS, SECTION 13-3 ENTITLED, "REGULATING STREET AND RIGHT OF WAY OPENINGS" WITHIN THE TOWNSHIP OF DEPTFORD, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY

WHEREAS, the Office of the Township Engineer has reviewed current regulations effecting street openings and has recommended that revisions to fees, performance bonds and escrows be enhanced;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Deptford, County of Gloucester, that Chapter VIII, entitled, Streets and Sidewalks is hereby amended to read as follows:

SECTION 1. Subsection 13-3.5, a, b, and c are deleted and the following new language is hereby created to read as follows:

Section 13-3.5 entitled, Fees; Performance Bond; Escrow is amended to read as follows:

a. The application fee (non-refundable) shall be \$100.00.

1. The Township Treasurer shall pay any application fees deposited into the Road Opening escrow account from escrow account to current fund.

b. Applicant shall post a performance surety bond guarantee for guaranteeing restoration, pavement, curbing, sidewalk or topsoil displaced as a result of a road opening within the public right of way.

1. Annual corporate bond for one (1) opening to ten (10) openings will be \$30,000.00. If the contractor exceeds ten (10) road openings, an additional bond is to be filed with the Township.

2. An individual bond or certified check deposit for one (1) opening shall be in the amount of \$3,000.00 which shall cover an excavation of no larger than ninety-five (95) square feet in area (6' wide x 16' long).

An additional bond amount for all street openings in excess of ninety-five (95) square feet to be computed as follows:

- a. Paved area: \$5.00 per square foot
- b. Concrete curb: \$20.00 per lineal foot
- c. Sidewalk or driveway: \$10.00 per square foot
- d. Gravel streets: \$3.00 per square foot

c. The escrow inspection fee to be paid upon filing an application for utility openings permit for the improved roads shall be based on the following:

1. Three hundred (\$300.00) dollars for trench areas totaling sixty (60) square yards or less.
2. An amount equal to five (5%) percent of the performance guaranty as determined by paragraph b. above for trench areas greater than sixty (60) square yards.
3. Should the escrow deposit fee account at any time become insufficient to cover the actual or anticipated inspection and professional expenses, said fund shall be subject to increase on demand of the Township Engineer.

SECTION 2. Any provisions of any Ordinance inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. If any sections or provisions of this Ordinance shall be ruled invalid, such ruling shall apply only to the sections or provisions ruled invalid and the remained of the Ordinance should be deemed valid and remain in full force and effect.

SECTION 4. This Ordinance shall take effect twenty (20) days after final passage pursuant to N.J.S.A. 40:69A-181.

TOWNSHIP OF DEPTFORD



PAUL MEDANY, MAYOR

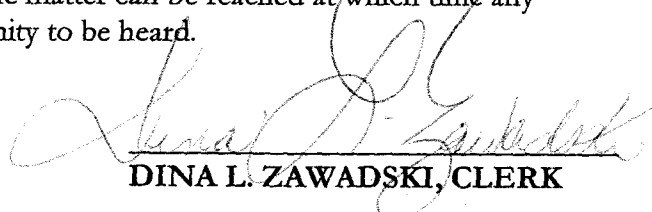
ATTEST:



DINA L. ZAWADSKI, CLERK

CERTIFICATION

The above Ordinance was introduced and passed upon first reading at a meeting of the Township Council of the Township of Deptford held on the *13th* day of *November*, 2006, and will be taken up for final consideration and passage at the Regular Meeting of Mayor and Council of the Township of Deptford to be held at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey, Gloucester County, on the *4th* day of *December*, 2006 at 7:00 P.M. or as soon thereafter as the matter can be reached at which time any person interested shall be given an opportunity to be heard.



DINA L. ZAWADSKI, CLERK