

**BOROUGH OF WRIGHTSTOWN  
COUNTY OF BURLINGTON, NEW JERSEY  
ORDINANCE #2022-06**

**AN ORDINANCE TO AMEND ARTICLE I OF THE CODE OF THE BOROUGH OF WRIGHTSTOWN, NEW JERSEY ENTITLED “EXCAVATIONS,” CHAPTER 186 ENTITLED “STREETS AND SIDEWALKS.”**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WRIGHTSTOWN, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY AS FOLLOWS:

**SECTION ONE:** Chapter 186 of the Code of the Borough of Wrightstown is hereby amended as set forth in this Ordinance.

**SECTION TWO:** The following new section is established in and shall become part of Chapter 186, Article 1, entitled “Five Year Moratorium.”

186-1.1

There shall be no excavation permits granted by the Borough for any opening or excavation on a public road, highway, street or thoroughfare of the Borough of Wrightstown that has been paved or repaved, for a period of five (5) years from the date of completion, subject to the Requirements for “Moratorium” Roads herein. Exceptions may be made in the event of an emergency under § 186-8.

A. Requirements for “Moratorium” Roads

- (1) The Borough Engineer shall keep a list of all such streets subject to the five-year moratorium, which may be inspected in the Office of the Borough Engineer.
- (2) Prior to the start of any such paving or repaving work, the Borough Engineer shall notify each utility company of said work so any in-progress or contemplated excavations may be completed before paving is started. Such Notice of Moratorium shall state that no excavation permit shall be issued for openings, cuts, or excavations in said street for a period of five years from the date of such paving. The notice shall also provide that applications for excavation permits for work to be done prior to such paving or repaving shall be submitted promptly so that any work may be completed not later than 90 days from the date of such notification.
- (3) Existing utility companies failing to act upon the Notice of Moratorium, and thus opening the street, will be subject to penalties of \$1,000 per day, until the utility company acts on the Notice of Moratorium.

(4) In the event that the newly paved or resurfaced street is dedicated to the Township, the five year period shall be deemed to begin on the date of acceptance by the Township of the affected street.

(5) In the event that an exception is granted during the moratorium due to a specific hardship, the applicant shall be responsible to limit the disruption as much as possible and restore the street opening in compliance with Article IV.

**SECTION THREE:** Section 186-4, “Fees and Deposits” is hereby deleted in its entirety and replaced with the following:

“No permit shall be granted by the Borough Clerk until the person applying for the permit deposits with the office of the Borough Clerk in cash or by certified check payable to Treasurer of Wrightstown Borough the following:

- A. Application fee, nonrefundable: \$75
- B. Performance guaranty refundable upon satisfactory completion of job, in the amount set forth in §186-11 herein.
- C. Inspection fee in the amount prescribed in §186-13 herein.
- D. Maintenance guaranty, refundable after one year: \$750.”

**SECTION FOUR:** Section 186-11, “Performance Guaranty” is hereby deleted in its entirety and replaced with the following:

“A performance guarantee in the amount of fifty (50%) per cent of the cost of the work identified in §186-1 as determined by the Borough Engineer.”

**SECTION FIVE:** Section 186-13, “Inspection Fee” is hereby deleted in its entirety and replaced with the following:

“The property owner and/or contractor shall deposit \$750.00 in an inspection fee escrow account to cover the Borough’s cost to inspect the work performed. Inspections will be carried out by the Borough Engineer.”

**SECTION SIX:** All other Sections of Chapter 186 unaffected by this Ordinance shall remain in full force and effect.

**SECTION SEVEN:** SEVERABILITY AND EFFECTIVE DATE.

A. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Borough Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall

remain in full force and effect to the extent that it allows the Borough to meet the goals of the Ordinance.

- B. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with law.

### **NOTICE**

The ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Borough Council of the Borough of Wrightstown held on November 22, 2022. It will be further considered for final passage after a public hearing at the regular meeting to be held on December 28, 2022, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey, at 6:30 PM, at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

---

FREDA H. GORMAN, RMC  
Municipal Clerk

#### **Introduction/First Reading November 22, 2022**

**Motion:** Mr. Lownds

**Second:** Mrs. Knapp

**Roll Call Vote:**

Ayes: Mr. Bird, Mrs. Carroll, Mrs. Knapp, Mr. Lownds

Nays: None

Absent: Mr. Craig

Abstain: None

#### **Second Reading/Public Hearing December 28, 2022**

**Motion:** Mr. Lownds

**Second:** Mr. Craig

**Roll Call Vote:**

Ayes: Mr. Bird, Mr. Bushnell, Mr. Craig, Mr. Lownds

Nays: None

Absent: Mrs. Carroll, Mrs. Knapp

Abstain: None

---

DONALD COTTRELL  
Mayor

**CERTIFICATION**

The aforementioned Ordinance Number 2022-06 was finally adopted by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, after Second Reading and Public Hearing at their Regular Meeting held on December 28, 2022.

\_\_\_\_\_  
FREDA H. GORMAN, RMC  
Municipal Clerk

Dated: December 28, 2022

Ord2022-06Road OpeningFees