

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2651-10

AN ORDINANCE
TO AMEND
CHAPTER 123
OF THE CODE
OF THE TOWNSHIP OF MAPLEWOOD
ENTITLED
"FEES"

"Interpretive Statement"

This ordinance will eliminate certain unnecessary language with regard to fees for street openings on streets surfaced within five (5) years from their construction, reconstruction or resurfacing.

WHEREAS, pursuant of the recommendation of the Township Engineer, the Township Committee passed Ordinance #2645-10, which prohibited any street opening occurring within five (5) years of any street having been surfaced, except in the event of an emergency as provided; and

WHEREAS, as a result of the passage of Ordinance #2645-10, certain language within Chapter 123 is now unnecessary.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that the Code of Township of Maplewood be amended as follows:

FIRST: Chapter 123 of the Code of the Township of Maplewood Subparagraph Chapter 239, Streets and Sidewalks

Shall be amended to read:

A. Article II, Excavations in Streets.

(1) Road Opening Permits - Application Fee.

Pay an application fee of seventy-five (\$75.00) dollars upon receiving an application form from the Township Engineer. **This fee is non-refundable.**

(2) **Road Opening Permits - Permit Fees.**

- a. On streets surfaced not more than five (5) years prior to the issuance of the excavation permit, the following fees will be charged in addition to any application fee related to the proposed opening:
 - (i) Two hundred fifty (\$250) dollars to public utility companies.
 - (ii) Five hundred (\$500) dollars to all other permittees.
- b. On streets surfaced more than five (5) years but less than ten (10) years prior to the issuance of the excavation permit Two hundred (\$200.00) dollars will be charged in addition to any application fee related to the proposed opening.
- c. On streets surfaced more than ten (10) years prior to the issuance of the excavation permit, one hundred fifty (\$150) dollars will be charged in addition to any application fees related to the proposed opening.

B. Article III, Obstruction in Streets.

- (1) The fee for a dumpster shall be:
 - (a) On a public road way: Fifty (\$50) dollars, plus a Certificate of Insurance naming the Township of Maplewood as an additional insured in an amount not less than one million (\$1,000,000) dollars, per occurrence.
 - (b) Private Property: No fee.

SECOND: Severability.

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on November 15, 2010, and that Committee met again on December 7, 2010, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk