

ORDINANCE NO. 2021- 8

**AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN AND STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 66 OF
THE TOWNSHIP CODE ENTITLED “STREET AND
SIDEWALKS” AND SPECIFICALLY §26 THEREOF
ENTITLED “PERMITS REQUIRED; FEE”.**

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 66 of the Township Code entitled “Streets and Sidewalks” and specifically §26 thereof entitled “Permits Required; Fee” is hereby amended as follows:

SECTION 1. That Chapter 66 of the Township Code entitled “Streets and Sidewalks”, specifically §66-26 entitled “Permits Required; Fee” is hereby amended to read as follows:

§66-26 Permits Required; Fee.

- A. [Unchanged].
- B. The following schedule of fees is hereby fixed, determined, and established as being the fees to be paid to the municipality for the issuance of permits in connection with the servicing of permits and supervision and inspection of openings and drainages to proper restoration.

Openings up to 50 square feet in length \$50.00.

Openings over 50 square feet but less than 500 square feet \$100.00.

Openings over 500 square feet but less than 1,500 square feet \$150.00.

Openings over 1,500 square feet \$200.00.

Such fees shall accompany the application when filed with the Construction Official or other designated agent.

- C. No person shall open or dig a trench in any public road, street or highway in this municipality without having given the municipality a cash or surety company bond to guarantee that the opening or trench made by the permittee will be properly closed and the road, street or highway over same reconstructed so that it will remain in good condition for at least two (2) years after the closing by the permittee. The minimum amount of each bond shall be two thousand five hundred dollars (\$2,500.00). If the opening or trench is over one hundred (100) square feet in length, the amount shall be twenty dollars (\$20.00) per square foot of the length thereof. A utility company and developer shall, in lieu of given a

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separate maintenance bond on each project, annually, once in January in each year, give a cash bond or surety company bond in the amount of twenty thousand dollars (\$20,000.00); provided that when the total lineal footage of openings or trenches made by such utility company reaches two thousand five hundred (2,500) square feet, such utility company shall give either an additional bond or deposit cash security in the amount of twenty dollars (\$20.00) per square foot of length of additional opening or trenches it desires to make in the calendar year.

- D. All cash or surety bonds shall remain on deposit with the Township for a period of two (2) years following the satisfactory completion of all roadway reconstruction work. Upon the expiration of the two (2) year period, the street or trench opening shall be inspected by the Township Engineer. If found to be acceptable condition, then the bond will be released. If the reconstruction work is found to be unsatisfactory, then all required repairs must be completed to the satisfaction of the Township Engineer before the bond will be released.
- E. [Unchanged].
- F. [Unchanged].
- G. [Unchanged].

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 6th day of April, **2021**, at **10:00 AM.** and will be considered for second and final passage at a meeting of the Township Committee to be held on the 4th day of May, **2021**, at 6:30 PM. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

DONNA M. MANNO, RMC

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CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance namely **Ordinance 2021-08** Amending and Supplementing Chapter 66 of the Township Code entitled “Streets and Sidewalks” and specifically sec. 26 Thereof entitled “Permits Required; Fee” was introduced and passed at a meeting of the Township Committee on the **6th day of April, 2021** and finally adopted after Public Hearing at a meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the **4th day of May, 2021**

Donna M. Manno, RMC
Municipal Clerk

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