ORDINANCE NO. 2024-29

AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 55-123 OF THE TOWNSHIP CODE ENTITLED "PERFORMANCE GUARANTY"

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 Section 55-123 of the Township Code entitled "Performance Guaranty" is hereby amended and supplemented to read as follows:

SECTION 1.

§55-123 Performance Guaranty.

A. Unchanged.

B. Unchanged.

C. Unchanged.

D. Unchanged.

E. Unchanged.

F. Procedure upon substantial completion of improvements.

(1) Upon substantial completion of all required appurtenant site and utility improvements and connection of same to the public system, the obligor may notify the Township Committee, in writing and by certified mail addressed to the Township Clerk, of the completion or substantial completion of said improvements and shall send a copy thereof to the Township Engineer. The developer shall simultaneously therewith submit to the Township Engineer and water and sewer department as-built record drawings, in both reproducible hard copy and electronic format., to such scale as required by the Township Engineer. The hard copy shall be signed and sealed by a professional land surveyor licensed in the State of New Jersey. The electronic format shall be provided in AutoCAD and GIS format which includes Geodatabases and Shapefiles compatible with the municipal engineers and water and sewer departments CAD/GIS system. The as-built drawings shall accurately show all site and utility improvements, including: the location, profile, size and appurtenances of all storm drains, catch

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basins, outfalls/headwalls, stormwater basins, pipe size, type and slope, scour holes, drainage and utility easement locations, sanitary sewers and water mains (see Ch 74-38 for sanitary sewer and water requirements) and all utilities, including service connections, constructed within the subdivision. The developer shall also submit a certification by an engineer of the placement and installation of monuments.

(2) Unchanged.

(3) Unchanged.

(4) Unchanged.

(5) Unchanged.

(6) Unchanged.

(7) Unchanged.

(8) Unchanged.

(9) Unchanged.

(10) Unchanged.

G. Unchanged.

SECTION 2. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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.

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SECTION 5. 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 **7th day of November, 2024**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **3rd day of December, 2024, at 10:00 AM** 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.

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Donna M. Manno, RMC
Municipal Clerk

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