

**AN ORDINANCE OF THE TOWNSHIP OF GREENWICH
AMENDING CHAPTER 605, SECTION 4, NEWLY
SURFACED STREETS**

ORDINANCE NO. 13 - 2014

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF
GREENWICH AS FOLLOWS:**

Section 1. Purpose:

In furtherance of protection of public roads for the safety of the traveling public, it is appropriate to establish standards to permit road opening and bond requirements for the excavation of newly surfaced roads.

Section 2. Repeal:

The following Ordinance, Section 605-4. Newly surfaced streets shall be repealed and amended as follows.

Section 3. Amendment:

Section 605-4. Newly Surfaced Streets is amended to read:

A. When any street has been constructed or reconstructed within five (5) years from the date on which a permit to open it is requested, no permits to open the surface of the same shall be granted except upon the approval of the Public Works Supervisor after presentation and consideration of the application therefor and the Public Works Supervisor being satisfied that one or more of the following reasons exists making it necessary to grant the permit:

- 1) An emergency situation, such as set forth in §605-2 above, exists. If said emergency exists, a permit is still required but the opening or excavation can occur immediately.
- 2) The necessity and purpose for opening the surface of the street could not have been and was not discovered by the applicant for the permit prior to the time the hard surface was installed and the applicant is bound by the actions of any predecessor in title to his lands in this respect.
- 3) An excavation permit shall be issued to open or excavate in said street for the purpose of providing utility or other service to a newly

constructed residence or other newly constructed structure adjacent to a newly paved street.

4) An excavation permit may also be issued to open or excavate in said street for the purposes of providing utility or other service to a preexisting residence or structure, but only upon application to the Mayor and Council and for good cause shown.

B. A bond or security in a form approved by the Solicitor as referenced in §605-6 D shall be required for all newly surfaced streets approved to be open or excavated.

1) As a newly surfaced street this amount of bond may be increased upon the recommendation of the Township Engineer based upon the street opening or excavation work to be performed, or after any inspection by the Township Engineer.

2) The performance bond shall be available to the Township in the event that any backfilling or permanent pavement restoration is not performed in accordance with the provision hereof or should such backfilling or permanent pavement restoration be unacceptable to the Township Engineer or Public Works Supervisor after inspection thereof.

Section 3. Effective:

This Ordinance shall take effect twenty (20) days after adoption and publication as required by law.

Introduced at a regular meeting of the Mayor and Council of the Township of Greenwich held on the 21st day of July, 2014 and passed upon a second reading of the Mayor and Council held on the 18th day of August, 2014.

ATTEST:

TOWNSHIP OF GREENWICH:

LORI L. BIERMANN,
Municipal Clerk

GEORGE W. SHIVERY, JR.,
Mayor