

**CITY OF NORTHFIELD, NJ
ORDINANCE NO. 17-2025**

**AMENDING CHAPTER 330 OF THE CODE OF THE CITY OF
NORTHFIELD, ARTICLE II, EXCAVATIONS IN STREETS**

BE IT ORDAINED, by the Common Council of the City of Northfield, County of Atlantic and State of New Jersey as follows (added text underlined; deleted text stricken):

ARTICLE II - EXCAVATIONS IN STREETS

§ 330-10. Definitions. NO CHANGE

§ 330-11. Applicability. NO CHANGE

§ 330-12. Permit required; applications.

A. NO CHANGE

B. NO CHANGE

C. In order to obtain a permit to open any asphalt or other street surface or for an excavation in any City right-of way including excavations related to utility installations or replacement, installation of curbing, or driveway aprons or any excavations greater than a depth of 18 inches, the applicant must file a completed application form and required fees with the City Clerk or its designee. ~~In order to obtain a permit to open curbing or driveway apron, the applicant must file a completed application form and required fees with the City Clerk or his designee. Upon determination that the application is complete and base fee has been submitted, the application shall be forwarded by the City Clerk or his designee to the City Engineer.~~

(1) ~~Applications for the excavating or opening of curbing or driveway apron are available on the Municipal Website or can be obtained in person in the City of Northfield Construction Office.~~

(2) ~~Permits for the excavating or opening of curbing or driveway apron will be issued by the City Engineer.~~

D. ~~In order to obtain a permit to open any asphalt or other street surface, the applicant must file a completed application form and required fees with the City Clerk or his designee. Upon determination that the application is complete and base fee has been submitted, the application shall be forwarded by the City Clerk or its designee to the City Engineer.~~

(1) Applications and permits for the excavating within the right of way or opening of any asphalt or other street surface are available on the Municipal Website or can be obtained in person in the City of Northfield

Construction Office.

- (2) Permits for the ~~excavating~~ or opening of any asphalt or other street surface or excavating within the right of way will be issued by the City Engineer.
- E. If said area to be opened, disturbed, or undermined exceeds six square yards, the additional yardage shall be classified as excess yardage, and an additional fee shall be due and payable by the applicant for all yardage in excess of six square yards at a rate of \$10 per square yard.
- F. The completed application form will also be examined by the City of Northfield Police Department, which will make all final determinations pertaining to traffic safety.

§ 330-13. Application information; fees.

- A. NO CHANGE.
- B. Opening any asphalt or other street surface for any excavation in any City right-of way including excavation related to utility installation or replacements, excavations greater than a depth of 18 inches, installation of curbing, and driveway aprons.
 - (1) Application for permission to make an excavation in any City right of way shall be made to the City Clerk or its designee. Such application shall be made on the required application form and shall be signed by the applicant and shall specify:
 - (a) The applicant's name, address, and phone number (local and out-of-town, if applicable);
 - (b) The name, address and phone number of the person or firm who will be performing the work;
 - (c) The length and width of such excavation;
 - (d) The purpose for which the excavation is to be made;
 - (e) The estimated time required to complete the work and restore the surface; and
 - (f) Such other information as may be required by the City Engineer.
 - (2) For all excavations within the roadway right-of way, opening of any asphalt or other street surface, disturbance of curbing or driveway aprons, utility improvements and/or replacements, or any excavation greater than 18 inches, an administrative application fee of \$250 and construction inspection fee of \$1,000 shall be paid to the City Clerk or its designee prior to the issuance of the permit. If said area to be opened, disturbed, or undermined exceeds six square yards, the

additional yardage shall be classified as excess yardage, and an additional fee shall be due and payable by the applicant for all yardage in excess of six square yards at a rate of \$10 per square yard.

- (3) The area to be opened, disturbed or undermined by the applicant shall be reviewed by the City Engineer.
- (4) Inspection will be performed by the City Engineer.

C. ~~Opening of any asphalt or other street surface.~~

- (1) ~~Application for permission to open any asphalt or other street surface shall be made to the City Clerk or his designee. Such application shall be made on the required application form and shall be signed by the applicant and shall specify:~~
 - (a) ~~The applicant's name, address and phone number (local and out of town).~~
 - (b) ~~The name, address and phone number of the person or firm who or which will be performing the work.~~
 - (c) ~~The length and width of such excavation.~~
 - (d) ~~The purpose for which the excavation is to be made.~~
 - (e) ~~The estimated time required to complete the work and restore the surface.~~
 - (f) ~~Such other information as may be prescribed by the City Engineer.~~
- (2) ~~A fee of \$500 shall accompany the application and be paid to the City Clerk or his designee prior to the issuance of the permit for the opening of any asphalt or other street surface. Of this \$500, \$200 is for the application fee and \$300 is for the inspection fee. If said area to be opened, disturbed or undermined exceeds six square yards, the additional yardage shall be classified as "excess yardage," and an additional fee shall be calculated by the City Engineer and shall be due and payable by the applicant to the City Clerk or his designee for all yardage in excess of six square yards at a rate of \$15 per square yard.~~
- (3) ~~The area to be opened, disturbed or undermined by the applicant shall be reviewed, measured, determined and inspected by the office of the City Engineer.~~
- (4) ~~Inspection is required for installation of new and replacement of existing underground utility mains (i.e., water, gas, cable, telephone, storm sewer, sanitary sewer, etc.). An inspection fee deposit shall be paid by the applicant to the City Clerk. The amount of the deposit shall be as determined by the City Engineer in accordance with the City Engineer's contract with the City of Northfield.~~

- (5) ~~Applications shall also be required for the installation of utility poles and related construction work within the street right of limits. Permit applications and accompanying sketches must be submitted for approval; the permit fee may be waived at the discretion of the City Engineer if the intended work is not adversely impacting upon the existing improvements.~~

§ 330-14. Openings by public utilities; written notice required.

- A. The utility shall give written notice, except in emergencies, to the City Clerk or his designee of all openings within the street rights-of-way which it desires to open, pursuant to this article. In the event of an emergency, oral notification to the City Engineer is still required within 24 hours of the emergency event. In addition, a street opening permit must be filed within 72 hours of the event.
- B. NO CHANGE.
- C. The City Engineer shall issue a permit to open any asphalt or other street surface or to excavate within the right of way for utility installation or replacement, or to open curbing and driveway apron in accordance with those conditions as outlined in § 330-13.

§ 330-15. Newly paved streets.

- A. NO CHANGE
- B. NO CHANGE
- C. NO CHANGE
- D. Roadway restoration.⁺

- (1) In the event that an emergency or hardship requires the opening of a roadway that has been resurfaced by the City or its agents or contractor(s) during the previous five years, a full-width infrared restoration will be required. The restoration will consist of six-inch dense graded aggregate base course, and a six-inch hot mix asphalt bituminous-stabilized base course, Mix I-2, brought to existing grade, within the excavated area. A full-width, curb-to-curb milling, two inches in depth to extend 20 feet beyond the limit of excavations will be performed after proper settlement in the trench area. The allowable time for the settlement shall be 45 days unless otherwise directed by the City Engineer. The final surface course shall be a two-inch hot mix asphalt bituminous-concrete surface course, Mix I-5. ~~See detail at end of chapter.~~

⁺ ~~Editor's Note: The details referred to below are on file in the City offices.~~

(2) Infrared restoration for repair of asphalt streets that are less than five years old and have been opened for utility work shall be utilized after the one-hundred-twenty- to one- hundred-eighty-day settlement period has elapsed.

a. The following methods of construction shall apply:

- i. After completion of permanent restoration, the permittee shall provide infrared restoration.
- ii. The area shall be swept clean of dirt, loose aggregate, or standing water.
- iii. A chalk line shall be drawn 12 inches back from the seam of the original opening to use as a guide for raking.
- iv. The infrared chamber shall be lowered over the repair, being sure to allow at least 12 to 18 inches of heated area beyond the perimeter of the original opening.
- v. To ensure the proper heating time, the contractor shall check the surface temperature of the asphalt at seven minutes and every minute thereafter using an infrared thermometer so as not to allow the surface temperature to exceed 350° F. This is required since the ambient temperature, the color of the pavement, the size of the aggregate, and the moisture content influence the heating time.
- vi. After the appropriate heating time (typically eight to 10 minutes), the asphalt surface will be softened to a depth of two to 2 1/2 inches.
- vii. The infrared chamber shall be then removed from the heated area.
- viii. The back side of a steel rake shall be used to neatly square off the repair, cutting 12 inches back from the original excavation along the chalk line.
- ix. The area inside the repair shall be deeply scarified, taking special care to eliminate the original seam between the repair and the road.
- x. Approximately 1/2 to one inch of existing three-fourths-inch stones shall be raked out and removed

from the patch.

- xi. Maltenes rejuvenator shall be applied to the repair and surrounding heated asphalt surface. Emulsified maltenes recycling agent (rejuvenator) shall be applied in a ratio of 1:1 with water. This solution shall be well dispersed with a commercial-grade sprayer at a rate of eight ounces per square yard of heated area. This application area shall include both the area under repair as well as the area heated but left undisturbed around the perimeter of the repair. The application shall take place after the area has been scarified and just prior to the addition of new asphalt. The rejuvenator replaces the light oil component of asphalt, which has oxidized out over time.
- xii. Hot mix asphalt I-5 (1/4 to 3/8 aggregate) shall be added to the area to bring it up to proper grade and luted smooth.

(3) Trench restoration may be permitted under special circumstances, and at the option of the City of Northfield and the City Engineer for openings having a minimum impact on the longevity and serviceability of the street in question.

(4) Partial Restoration. In the event that an opening is required in a roadway that has been partially resurfaced by the City, its agents, contractors, and/or other utility companies, then, in the sole and absolute discretion of the City, a minimal opening may be allowed, subject to the following:

- a. Full width restoration to a minimum of 30 feet on each side of the opening in compliance with the standards set forth in Subsection D above.
- b. If an opening is needed in a newly paved intersection, the entire intersection must be restored as set forth in Subsection D above. The limit of said restoration shall be in the sole and absolute discretion of the City, upon the advice and recommendation of the City Engineer.

E.

§ 330-16. Streets paved between five years and eight years prior to proposed opening.

A. NO CHANGE

(1) NO CHANGE

(2) ~~At~~If the opening crosses over the center line of the street, the above street repair shall be full-width restoration.

B. NO CHANGE

§ 330-17. Issuance of permit.

~~A. Opening of sidewalk on the right of way of any street.~~

~~(1) The Zoning/Building Officer of the City of Northfield, upon receipt and examination of the application and the fee referred to hereinabove, shall issue a permit under his hand for the excavation of any sidewalk on the right of way of any street only. He shall specify on the permit that it is good for a thirty day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair.~~

~~(2) The applicant shall notify the City of Northfield Zoning Office 24 hours before the commencement of any work so that appropriate inspection can be made where required.~~

~~B. Opening of curbing and driveway apron; opening of any asphalt or other street surface.~~

~~(1) The City Engineer, upon receipt and examination of the application, and satisfaction by the applicant of all conditions, whether or not said conditions are known at the time of application, shall issue a permit under his hand for the excavation. He shall specify on the permit that it is good for a thirty day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair.~~

~~(2) The applicant shall notify the City Engineer 24 hours before the commencement of any work so that appropriate inspection can be made where required.~~

A. Paving, excavations conducted within the right-of-way of any street greater than 18 inches, utility installation or replacement, curb and driveway openings:

(1) The City Engineer, upon receipt and examination of the application and the fee referred to hereinabove, shall issue a permit under their hand for the excavation. The City Engineer shall specify on the permit that it is good

for a ninety (90) day period from the date of issuance and shall further specify on the permit that such work shall be completed and restored within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair. The applicant shall notify the City Engineer 24 hours before the commencement of any work so that appropriate inspection can be made where required.

- (2) The City Engineer, upon receipt and examination of the application and the fee referred to hereinabove, shall issue a permit under his hand for the excavation. He shall specify on the permit that it is good for a thirty-day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair.
- (3) The applicant shall notify the City Engineer 24 hours before the commencement of any work so that appropriate inspection can be made where required.
- (4) Whenever the City resurfaces or reconstructs a street, no permit shall be issued for the opening of said street for a period of five (5) years subsequent to the completion of the reconstruction and acceptance of such work by the City, provided the property owners have been properly notified. The City Clerk shall give written notice, by certified mail, to all owners of property abutting the portion of the street or streets to be reconstructed or resurfaced, and to the public utilities and authorities who routinely locate their facilities in the beds of public streets, no less than four months prior to commencing the City's construction. The notice shall specify the anticipated start date for the construction and advise the property owner that any anticipated new facilities or repairs to their existing facilities must be completed prior to the start of the City's project. Emergency situations are exempt from the five-year restriction.
- (5) The City may, in its sole and absolute discretion, attach conditions to any permit issued under this chapter that prohibits work, which is otherwise authorized by the permit, from being performed on or around the Memorial Day, Independence Day and Labor Day holiday weekends depending upon the scope and location of the work as needed to protect the health, safety and welfare of the community. Any timelines imposed upon permittee by this section shall be tolled accordingly in the event of same.

B. Opening of sidewalk on the right-of-way of any street.

- (1) The Zoning/Building Officer of the City of Northfield, upon receipt and examination of the application and the fee referred to hereinabove, shall issue a permit under his hand for the excavation of any sidewalk on the right-of-way of any street only. He shall specify on the permit that it is good for a thirty-day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored

within 48 hours after work is commenced or within a duration of time which in his opinion is reasonable and fair.

- (2) The applicant shall notify the City of Northfield Zoning Office 24 hours before the commencement of any work so that appropriate inspection can be made where required.

§ 330-18. Restoration of excavated area. NO CHANGE

§ 330-19. Performance and maintenance surety. NO CHANGE

§ 330-20. Insurance. NO CHANGE.

§ 330-21. Clearance for fire equipment. NO CHANGE

§ 330-22. Protection of traffic. NO CHANGE

§ 330-23. Liability and indemnification of City. NO CHANGE

§ 330-24. Violations and penalties. NO CHANGE

§ 330-25. Exemptions. NO CHANGE

BE IT FURTHER RESOLVED:

- 1) This ordinance shall take effect upon final passage and publication in the manner prescribed by law.
- 2) Repealer. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
- 3) Severability. If any Section or part of this Ordinance is deemed to be invalid or illegal in any Court of competent jurisdiction then said part is severable from the Ordinance as a whole and the remaining sections or parts of this Ordinance shall remain in full force and effect.

Mary Canesi, RMC, Municipal Clerk

Erland Chau, Mayor

The above Ordinance was introduced and passed on its first reading at a regular meeting of the Common Council of the City of Northfield, New Jersey held on September 16, 2025, and will be taken up for a second reading, public hearing and final passage at a meeting of said Council held October 7, 2025, in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING: September 16, 2025

PUBLICATION: September 20, 2025

SECOND READING: October 7, 2025

PUBLICATION: October 11, 2025