

**CITY OF NORTHFIELD, NJ  
ORDINANCE NO. 10-2019**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF  
NORTHFIELD, SECITON 330-15 ENTITLED "NEWLY PAVED  
STREETS"**

**BE IT ORDAINED**, by the City Council of the City of Northfield, County of Atlantic and State of New Jersey as follows:

**SECTION 1:** Section 330-15 of the Code of the City of Northfield, is hereby amended as follows:

**§ 330-15 Newly paved streets.**

No permit shall be issued for any street opening which would disturb the pavement of any road having been entirely constructed, reconstructed or overlaid by the City of Northfield or its agents or contractor(s) until a period of five years after the completion of said construction, reconstruction or overlay, except ~~in the event of an emergency or hardship~~ as permitted described below. The five-year period as articulated herein shall be calculated from December 31 of the year in which said road was constructed, reconstructed or overlaid and run five years thereafter.

**A.**

Public Utility Opening. In the event a local or State public utility provider applies for a street opening permit that is not on the basis of an emergency opening or a hardship condition opening, both as detailed below, a local or State public utility provider may, with the written permission and approval of the office of the City Engineer, be permitted to open a road subject to the §330-15 moratorium provided the local or State public utility provider agrees to perform a full width roadway restoration spanning the entire city block(s) in which the opening(s) occur(s) plus up to an additional 45' of restoration on both ends of the aforesaid restoration limits to any and all existing pavement match lines at the intersections at both ends of the city block(s) being restored.

**A.-B.**

Emergency opening. In the event that a person or an entity shall be required to open a street and/or roadway as a result of an emergency, said emergency opening shall be reviewed by the City Engineer, and if the City Engineer shall determine that no such emergency existed, then the person or entity so opening the street and/or roadway shall have a fine imposed upon such person or entity in the amount of \$2,000 for any nonemergency opening. This shall be in addition to any and all restoration requirements.

B.-C.

Hardship condition. In the event that a ~~person or entity~~~~property owner~~ has a hardship condition which requires a street opening permit to be issued contrary to § 330-15A above, the City of Northfield, in its sole and absolute discretion, may grant relief if all of the following conditions are met:

(1) No Change.

(2) No Change

(3) The ~~property owner~~ applicant making the request shall serve a notice to all property owners within 200 feet of the subject property, by certified mail, return receipt requested, or by personal hand delivery, a minimum of 10 days prior to the public meeting.

(4) The ~~property owner~~ applicant shall file a copy of the notice served to adjoining property owners with an affidavit of proof of delivery of notice with the City Clerk at least three days prior to the public meeting. The notice must:

(a) Identify the property by location including but not limited to the subject or nearest street address, and block and lot and intersection.

(b) No Change

(c) State the type and size of the ~~utility~~ opening.

(d) – (f) No Change

(5) No Change

(6) A request which includes~~d~~ the extension of a utility main shall not be considered and will be automatically denied.

(7) No Change

C.-D.

Roadway restoration.

(1) No Change

(2) No Change

D.-E.

Partial Restoration. No Change.

(1) No Change

(2) If an opening is needed in a newly paved intersection, the entire intersection must be restored as set forth in Subsection C(1) 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.

**SECTION 2:** All ordinances and parts of Ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 3:** Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**SECTION 4:** This Ordinance shall become effective immediately upon final adoption and publication according to law.

EFFECTIVE DATE - This ordinance shall take effect upon final passage and publication in accordance with law.

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Mary Canesi, RMC  
Municipal Clerk

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Erland Chau  
Mayor

The above Ordinance was passed on first reading at a regular meeting of the Common Council of the City of Northfield, New Jersey on the 18<sup>th</sup> day of June, 2019, and will be taken up for a second reading, public hearing and final passage at a meeting of said council held on the 16<sup>th</sup> day of July, 2019, in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING:            June 18, 2019  
PUBLICATION:            June 22, 2019  
SECOND READING:        July 16, 2019  
PUBLICATION:            July 20, 2019