

ORDINANCE No. 06-2016

AN ORDINANCE AMENDING CHAPTER 182, "STREETS AND SIDEWALKS", OF THE CODE OF THE BOROUGH OF SEA BRIGHT, PERTAINING TO STREET OPENINGS FOR NEW CONSTRUCTION

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, as follows:

SECTION ONE: Chapter 182, "Streets and Sidewalks", of the Code of the Borough of Sea Bright, Article I, "Excavations", § 182-11.26, "Opening newly paved streets restricted."

be and the same is hereby amended and supplemented to read, in full, as follows:

"§ 182-11.26. Opening newly paved streets restricted, Restoration.

No permit shall be issued by the Borough Clerk of the Borough of Sea Bright which would allow an excavation or opening of a paved or improved street surface less than five years old unless:

- A. The applicant can clearly demonstrate that public health or safety requires that the proposed work be permitted or unless an emergency condition exists; or
- B. The excavation or opening is for the purpose of providing utility services to a new residential or commercial structure constructed on a vacant lot or after the complete demolition of an existing structure. In such cases, restoration shall be accomplished utilizing infrared technology, as approved by the Borough Engineer."

SECTION TWO: All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies

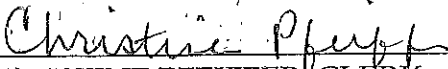
SECTION THREE: If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION THREE: This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on February 16, 2016 and will be further considered after a Public Hearing held on March 1, 2016 at the Municipal Building at 7 pm.

INTRODUCED: February 16, 2016
PUBLIC HEARING: March 1, 2016
ADOPTED: March 1, 2016

Witness


CHRISTINE PFEIFFER, CLERK

BOROUGH OF SEA BRIGHT,


DINA LONG, MAYOR