

**BOROUGH OF LONGPORT  
ORDINANCE NO. 2017-16**

**AN ORDINANCE AMENDING SUBCHAPTER 147-3 DUTIES OF THE EXCAVATOR AND  
SUBCHAPTER 147-5 FEES, DEPOSITS, AND ESCROWS  
PERTAINING TO PAVEMENT RESTORATION FEE  
OF CHAPTER 147- STREETS AND SIDEWALKS OF THE CODE OF THE  
BOROUGH OF LONGPORT  
ATLANTIC COUNTY  
NEW JERSEY**

**BE IT ORDAINED BY THE COMMISSIONERS OF THE BOROUGH OF LONGPORT that:**

**SECTION I: Subsection 147-3 Duties of the Excavator.** Paragraph C. is changed to read as follows:

- C. The excavator shall backfill all excavations with clean fill material absent debris, clay, and/or vegetative matter to a height sufficient to provide a minimum four (4) inch thick layer of compacted Road Gravel (NJDOT Soil Aggregate I-5) and a minimum six (6) inch thick compacted hot mix asphalt base course (NJDOT HMA19 or 22M64) within existing paved cartways. Where areas of concrete curb, gutter, sidewalk or driveway apron are disturbed by the excavator, the damaged areas are to be removed to the extent determined by the Public Works Supervisor and replaced with 6 inch by 8 inch by 18 inch vertical concrete curb, 6 inch thick by 24 inch wide concrete gutter, 6 inch thick concrete driveway apron and sidewalk, and 4 inch thick concrete sidewalk, as appropriate. All concrete shall be NJDOT Class B and constructed per NJDOT Standards.

**SECTION II: Subsection 147-3 Duties of the Excavator.** Paragraph D. is changed to read as follows:

- D. All openings within roadway travel and parking areas shall receive the temporary adequately compacted asphalt base course paving on or before 4:30 PM on the Friday of the same week during which the excavation was performed. No openings or trenches shall be permitted to remain open or without asphalt over the weekends or holidays. Temporary asphalt paving shall consist of a six (6) inch thick layer of Hot Mixed Asphalt (NJDOT HMA 22 or 19M64) over the required four (4) inch thick road gravel base. All soil backfill and gravel base material shall be properly compacted prior to placement of the asphalt material. During inclement months when asphalt plants are closed, the Contractor may be permitted to place a two (2) inch thick plant mixed winter weather asphalt as a patch material. However, the Contractor shall replace such temporary material with the required Hot Mixed Asphalt within one week of the asphalt plant reopening. Under no circumstances shall concrete or concrete stabilized material be permitted within an asphalt paved cartway. All excavation, preparation, and placement of asphalt paving and subbase shall be in accordance with the current edition of the NJDOT Standard Specifications for Roadway and Bridge Construction. All joints along existing asphalt shall be first sawcut and tacked prior to placement of the hot mix asphalt.

**SECTION III: Subsection 147-5 Fees, Deposits, and Escrows.** Paragraph A (2) is changed to read as follows:

- (2) For every permit performing excavation with the paved portion of any municipal street, avenue, road, alley, or highway, a non refundable application fee of:
- |     |  |  |
|-----|--|--|
| (a) | Up to five square yards:                       | \$100.00   |
| (b) | Five square yards to twenty-five square yards: | \$200.00   |
| (c) | Greater than twenty-five square yards          | \$250.00 plus \$5.00 per square yard above twenty-five square yards. |
- (d) In addition to the Application fee as stated, the Applicant shall submit a separate non refundable fee for permanent pavement restoration in the amount of \$100.00 per square yard. Where the entire width of paving in one block is to be replaced per Paragraph E., the pavement restoration fee will be waived.

**SECTION IV:** All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

**SECTION IV:** This Ordinance shall take effect immediately upon passage and publication as required by Law.

Vote on First Reading 6-7-2017 publication: 6-14-2017

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON 1 <sup>st</sup> Reading/Introduction						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo			X			
Leeds		X	X			
Lawler	X		X			
XX-indicates vote      NV-not voting      AB. - Absent						

Vote on Second Reading/Public Hearing publication:

DO NOT USE SPACE BELOW						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo		X	X			
Leeds						X
Lawler	X		X			
X-indicates vote      NV-not voting      AB. - Absent						

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

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/s/ **EMILIA R. STRAWDER, RMC, CMR**  
**MUNICIPAL CLERK**

ADOPTED: JUNE 21, 2017  
PUBLICATION: JUNE 24, 2017

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Emilia R. Strawder  
Municipal Clerk

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Nicholas M. Russo/Mayor

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James P. Leeds,Sr/Commissioner

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Daniel Lawler/ Commissioner