

**BOROUGH OF NORTHVALE
APPLICATION FOR STREET OPENING PERMIT**

Date _____

Permit# _____

Fee \$ _____

Inspection Fee \$150.00 (3 inspections @\$50.00 each)

Applicant Name _____ Phone # _____

Address _____

City, State, Zip _____

Location of Street Opening _____

Length of trench _____ width _____ depth _____

Main Located on _____ side of street (water/gas circle one)

Building Located on _____ Side of Street

Restoration to be performed by _____
(name of firm)

Work will begin on _____ Completed on _____

Certificate of Insurance _____ Hold Harmless _____

Workman's Compensation and Disability Insurance _____

***Pursuant to Section C of Ordinance #649-92**

THE APPLICANT AGREES TO COMPLY WITH ALL THE RULES AND REGULATIONS SET FORTH IN ORDINANCE #649-92 (SEE REVERSE SIDE) AS WELL AS ALL THE LAWS, ORDINANCE AND RESOLUTIONS RELATING TO SAID WORK, AND THE ACCEPTANCE OF THE PERMIT SHALL BE DEEMED CONSENT TO ABIDE BY ALL OF ITS TERMS AND CONDITIONS. APPLICANT MUST NOTIFY THE SUPERINTENDENT OF PUBLIC WORKS BY PHONE AT 201-767-0210 PRIOR TO COMMENCEMENT OF WORK AND UPON COMPLETION OF WORK FOR AN INSPECTION

Signature of Applicant _____ Date _____

In case an emergency arises, phone # (day/night) _____

Borough Clerk Date

For Use on Emergency Applications Only
To be Completed After Answering Questions

Reason for Emergency _____

Date Police Notified _____ Date & Time DPW Supt Notified _____

Remarks _____

Supt. DPW Date

Inspections – (Supt. DPW please date and sign approval)

1. _____ Date _____

2. _____ Date _____

3. _____ Date _____

Chapter 174, STREETS AND SIDEWALKS

ARTICLE I, General Provisions [Adopted 5-1-1922 as Ord. No. 28 (Ch. 64, Art. I, of the 1969 Code)]

§ 174-1. Excavation permit required; exceptions; emergencies. [Amended 11-10-1992 by Ord. No. 649-92]

No person shall make any excavation in or tear up or disturb the surface of the roadway of any street, park or public place without a written permit therefor; provided, however, that any public utility corporation having pipes, conduits or rails in any public street or place shall not be required to obtain any other permit than that provided for in § 174-13 hereof. In cases of emergency, permits may be granted upon the applicant undertaking, in writing, to comply with the provisions of this article within three days' time.

§ 174-2. Permit fees; inspection. [Amended 11-10-1992 by Ord. No. 649-92]

No permit for the excavation, tearing up or disturbing of the surface of the roadway of any street shall be granted unless the sums of money hereinafter set forth shall be paid to the Borough Clerk. All permits issued hereunder shall be filed with the Northvale Police Department.

A. Such payments shall be at the following rates for every two square yards or fraction thereof excavated, torn up or disturbed:

- (1) For openings on any road paved with concrete, asphalt or specification block: \$50.
- (2) For openings on any road paved with bituminous macadam (penetration method): \$50.
- (3) For opening on any road paved with water-bound macadam, with or without bituminous or oil dressing: \$50.
- (4) For openings on an unimproved road: \$25.

B. In addition to the above sums, the permittee for any road opening shall post an inspection fee of \$150 with the Borough Clerk. Inspections will be made as required by a borough representative.

§ 174-3. Guarding of excavations. [Amended 11-10-1992 by Ord. No. 649-92]

The permittee shall guard the excavation or excavations by the erection of suitable barriers and warning signs by day and the maintenance of suitable barricades and lights by night.

§ 174-4. Insurance; indemnity. [Amended 11-10-1992 by Ord. No. 649-92]

A. Before any road opening permit will be issued, the permittee will be required to file with the borough adequate and satisfactory evidence that he or his contractor is covered by public liability insurance in the limits of not less than five hundred thousand/one million dollars (\$500,000/\$1,000,000.) for bodily injury and \$300,000 for property damage and that under this coverage, or by separate policies in the above limits, the Borough of Northvale Department of Public Works and/or the Superintendent of Department of Public Works are named among the insured and fully indemnified.

B. The permittee or his contractor must also file with the borough adequate and satisfactory evidence of statutory coverage for workmen's compensation and disability insurance.

C. The permittee or his contractor agrees, in accepting a permit to open a road, to save harmless the Borough of Northvale, its officers and servants from and against any injury, loss, damage or legal action resulting from any negligence or fault of the permittee, its agents or servants in connection with the work covered by the permit.

§ 174-5. Backfilling; inspections. [Amended 11-10-1992 by Ord. No. 649-92]

The permit for any such excavation as aforesaid shall state the maximum time allowed for the completion of the excavation and the backfilling thereof and the resurfacing thereof, all of which shall be completed within the time stated in such permits. The material to be used for such backfilling shall be earth, or earth and crushed stone in even quantities. No stone larger than six inches in diameter and no shale rock shall be used for such purpose. No more than six inches of material shall be backfilled at one time, and the same shall be thoroughly moistened and tamped and excess material shall be removed and all debris shall be forthwith cleaned up and carted away. Prior to the completion of the backfilling and restoration of the pavement of the street, the person to whom the permit was issued shall immediately notify the Borough Clerk, who shall cause the work to be inspected at a charge of \$50 for each inspection. If found satisfactory, the Borough Clerk shall return to said person holding the permit the amount of the deposit unused for said inspection.

§ 174-6. Future maintenance charges. [Amended 11-10-1992 by Ord. No. 649-92]

In order to compensate the borough for the cost or future maintenance of openings after the final surface has been completed and approved by the borough, the following future maintenance charges will be posted in cash with the borough for a period of two years:

- A. In pavement areas, for openings up to and including 30 square yards in area (\$50 minimum charge): \$4 per square yard.
- B. In pavement areas, for that portion of the area in excess of 30 square yards: \$3 per square yard.
- C. In shoulder areas, for openings up to and including 30 square yards in area (\$50 minimum charge): \$3 per square yard.

D. In shoulder areas, for that portion of the area in excess of 30 square yards: \$2 per square yard.

§ 174-7. Repair of hazardous conditions by borough. [Amended 11-10-1992 by Ord. No. 649-92]

Should a hazardous condition develop in connection with a road opening and the permittee is not available or does not remedy the condition promptly, the borough reserves the right to do or to have done such work as it deems necessary to eliminate the hazard and to charge the cost of such work to the permittee.

§ 174-8. Stop-work orders. [Amended 11-10-1992 by Ord. No. 649-92]

If, in the opinion of the Superintendent of the Department of Public Works or his representatives, work is not being performed in accordance with these regulations, the Superintendent or his representatives may, in writing, stop the work at any time, and work shall not be resumed without the consent, in writing, of the Superintendent of the Department of Public Works.

§ 174-9. Establishment of regulations. [Amended 11-10-1992 by Ord. No. 649-92]

The Superintendent of the Department of Public Works shall establish those methods, procedures and maintenance regulations that he deems, in his discretion, are necessary to ensure a proper performance of the work contemplated under this article.

§ 174-10. Openings; tunneling. [Amended 11-10-1992 by Ord. No. 649-92]

A. No openings in the paved section of any road shall be less than 18 inches wide nor more than three feet wide, and such openings shall be made so that the width at the bottom shall be less than the width at the surface of the pavement.

B. No tunneling will be permitted except under special conditions as determined by the Borough Engineer and pursuant to a special permit to be issued by the Borough Clerk.

§ 174-11. Disturbance of pavement; laying of pipes. [Amended 11-10-1992 by Ord. No. 649-92]

Whenever possible, the excavation shall be made on either side of the pavement, and pipes to be laid shall be driven from one excavation to the other so as not to disturb the pavement.

§ 174-12. Boring under pavement. [Amended 11-10-1992 by Ord. No. 649-92]

No boring under the pavement of any road shall be done except by special permission of the Borough Engineer and under the personal supervision of the Superintendent of the Department of Public Works. When necessary to excavate across the entire roadway of any road, the work shall be performed so that at least 1/2 of said roadway shall remain open for traffic. No person shall permit any street or road to be closed to travel by reason of any excavation made therein pursuant to this article, except for special circumstances as determined by the Borough Engineer.

§ 174-13. Public utilities. [Amended 11-10-1992 by Ord. No. 649-92]

The provisions of this article, except for §§ 174-3 and 174-5 through 174-12, shall not apply to a public utility company, as defined by N.J.S.A. 48:2-13, or any company now having the right, in the discharge of its duties of the public, to excavate or open the surface of the public streets, avenues or public places in the borough, provided that for each such excavation or opening, the company follows the provisions of this section. Prior to any work, the company shall file with the Borough Clerk a notice, specifying the location of the work to be done, the character of the work and the length of time considered necessary for completion. Such notice shall be accompanied by a filing fee of \$50 or, in the alternative, a public utility may pay an annual fee of \$500. In addition, each such company shall post annually with the Borough Clerk a bond, cash or other form of security in the sum of \$5,000, conditioned to save the borough from all costs, loss, charge or damage which it may sustain, incur or be subjected to by reason of any such excavation or opening, which bond or other security shall be approved as to form by the Borough Attorney. In the event that the Borough Engineer determines that any project requires additional security, the company shall agree to post such additional security as may be required prior to commencing any work. Further, the company shall conduct the excavation, cleanup and maintenance of the surface in accordance with §§ 174-5 through 174-9 of this article and shall be responsible for full restoration in proper order and condition, to the satisfaction of the borough, of any public street, avenue or public place wherein excavations or openings shall be made by it. Upon failure to restore and maintain the excavation or opening to the satisfaction of the borough, the borough may restore and maintain such excavation or opening, using the bond so deposited or so much thereof as is necessary.