



## Legislation Details (With Text)

**File #:** 14-0716      **Version:** 1      **Name:** Ordinance: Street and Sidewalk Opening Fee Increase  
**Type:** Ordinance      **Status:** Filed  
**File created:** 5/7/2014      **In control:** Engineering  
**On agenda:** 9/4/2014      **Final action:** 10/1/2014  
**Title:** AN ORDINANCE AMENDING SECTION 29:5-1, PERMIT REQUIRED, OF TITLE 29, STREETS AND SIDEWALKS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, BY REVISING Street and/or Sidewalk Opening FEES AND DEPOSITS.

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/1/2014	1	Municipal Council	Close on Public Hearing and Adopt	Pass
9/17/2014	1	Municipal Council	Adopt on First Reading	Pass
9/4/2014	1	Municipal Council	Advance to First Reading	Pass

**AN ORDINANCE AMENDING SECTION 29:5-1, PERMIT REQUIRED, OF TITLE 29, STREETS AND SIDEWALKS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, BY REVISING Street and/or Sidewalk Opening FEES AND DEPOSITS.**

**WHEREAS**, the City of Newark, Department of Engineering has determined that it is necessary to adjust the permit fees and deposits for Street and/or Sidewalk Opening Permits.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**[Note: Underlined text represents additions and strikethroughs represent deletions. ]**

**Section 1.** That Section 29:5-1, Permit Required, of Title 29, Streets and Sidewalks, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, be amended as follows:

### **29:5-1. PERMIT REQUIRED.**

a. No person shall break up or displace in any way the paved streets, sidewalks, curbs or gutters of the City, or make any excavation or disturb any public property in any of the streets or other public grounds of the City for the purpose of, but not limited to constructing, laying, repairing or removing any underground conduit, pipe, drain, wire, storage tank, sidewalk cellar entrance areaway, tree planting or removal or other service, and the necessary appurtenances thereto, without the written permission of the Director and/or his duly authorized representative.

b. *Street and/or Sidewalk Opening.*

*Fee Deposit*

~~\$250.00~~ ~~\$500.00~~ ~~\$20.00~~ \$30.00 per square foot of pavement or fraction thereof, regardless of size. Alternately, a performance bond can be posted in place of the deposit, if the deposit exceeds ~~\$2,000.00~~ \$3,000.00. Such bond shall be equivalent to the full value of the otherwise required deposits. Improperly completed restoration of street and/or sidewalk will subject the applicant to drawdown by the City in the amount of ~~\$20.00~~ \$30.00 per square foot of pavement or fraction thereof regardless of size.

c. *Street and/or Sidewalk Opening Made by a Public Utility Subject to the State Board of Public Utilities.*

*Fee Deposit*

~~\$200.00~~ ~~\$500.00~~ Public Utilities subject to the jurisdiction of the State Board of Public Utilities shall have the option to post a single ~~\$20,000.00~~ \$30,000.00 performance bond or ~~\$20.00~~ \$30.00 per square foot of pavement or fraction thereof, regardless of size. Improperly completed restoration of street and/or sidewalk will subject the Public Utility to a drawdown by the City in the amount of ~~\$20.00~~ \$30.00 per square foot of pavement or fraction thereof regardless of size.

**Section 2.** Any existing ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

**Section 3.** This ordinance shall take effect upon final passage and publication, and in accordance with the laws of the State of New Jersey.

**STATEMENT:**

This ordinance hereby increases the permit fees and deposits for Street and/or Sidewalk Openings (*Affecting all City Wards*).