

**BOROUGH OF FRANKLIN
COUNTY OF SUSSEX
ORDINANCE #17-2016**

PAVEMENT MORATORIUM – STREETS AND SIDEWALKS

**AN ORDINANCE SETTING FORTH NOTICE OF STREET PAVING AND
MORATORIUM ON STREET AND SIDEWALK EXCAVATION**

BE IT ORDAINED AND ENACTED by the Mayor and Council of the Borough of Franklin, County of Sussex, New Jersey, as follows:

Borough of Franklin, NJ

Chapter 234. Pavement Moratorium – Streets and Sidewalks

A. Notices.

Whenever the Borough Council enacts an ordinance or resolution providing for the paving or repaving of any street or sidewalk, the municipal clerk shall promptly post a written notice thereof on the Borough website and on the Borough Hall Bulletin Board. Such notice shall notify the public that any application for an excavation permit for openings, cuts or excavations for work to be done in or under said street or sidewalk prior to such paving or repaving shall be submitted promptly in order that the work covered by such excavation permit may be completed not later than 45 days from the date of enactment of such ordinance or resolution.

B. Performing repairs.

In the event any owner, person, agency or utility shall fail to perform such excavation work, any and all rights of such owner, person, agency or utility or their successors in interest, to make openings, cuts or excavations in said street or sidewalk shall be prohibited and forfeited for a period of three years from the date of enactment of said ordinance or resolution. During said three year period, no excavation permit shall be issued to open, cut or excavate in said street or sidewalk unless in the judgment of the Committee on Public Utilities, an emergency exists which makes it absolutely essential that the excavation be permitted.


C. Time period.

Every Borough department or official charged with the responsibility for any work that may necessitate any opening, cut or excavation in said street or sidewalk is directed to take appropriate measures to perform such excavation work within said 45-day period so as to avoid the necessity of making any openings, cuts or excavations in the new pavement in the Borough's streets or sidewalks during said three year period.

D. Violations and penalties.

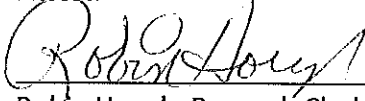
[Added 7-26-16 by Ord. No.XX-2016]

Violations of the provisions of this article shall be punishable as provided in Chapter 1-15A, General Penalty.



Nicholas Giordano, Mayor

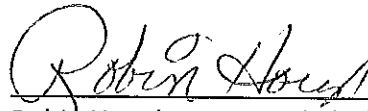
Attest:



Robin Hough, Borough Clerk

NOTICE

TAKE NOTICE that the above entitled Ordinance #17-2016 was re-introduced at a regular meeting of the Borough Council of the Borough of Franklin on December 13, 2016 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on December 27, 2016 at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.

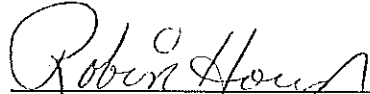


Robin Hough, Municipal Clerk

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

**ORDINANCE 17-2016
PAVEMENT MORATORIUM – STREETS AND SIDEWALKS
AN ORDINANCE SETTING FORTH NOTICE OF STREET PAVING AND MORATORIUM
ON STREET AND SIDEWALK EXCAVATION**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Municipal Building on the 13th day of December, 2016, and the same came up for final passage at a meeting of the said Borough Council on the 27th day of December, 2016, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Robin Hough, Municipal Clerk