

**AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE V. OF
CHAPTER 330, STREETS AND SIDEWALKS OF THE BOROUGH CODE**

WHEREAS, Chapter 330, Street and Sidewalks, of the Borough Code governs the efficient and proper repair and installation of streets, sidewalks and curbs in the Borough of Spring Lake; and

WHEREAS, the Mayor and Council have recommended that the following Sections of Chapter 330 are amended and supplemented with deletions reflected in ~~strike-through~~ and additions reflected in underline; and

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Spring Lake in the County of Monmouth and State of New Jersey that Chapter 330 be amended as follows:

ARTICLE V. Construction and Replacement of Curbs and Sidewalks

[Adopted by Ord. No. 15-1977 (§ 13-5 of the Revised General Ordinances)]

§ 330-59. Jurisdiction over construction, maintenance and replacement.

The Construction Official or his/her designee, as the office is known in the State Uniform Construction Code, is designated as the person who shall have jurisdiction with respect to the construction, maintenance and replacement of sidewalks, curbs and the areas between sidewalks and curbs.

§ 330-60. Permit required; fee.

A permit shall be obtained from the Construction Official prior to the construction or replacement of sidewalks and curbs. Such a permit may be included in a permit for new construction or for the repair and renovation of old construction. The fee for such a permit, unless included in the fee for new construction, shall be the sum of \$5 per \$1,000 of the estimated cost or any part thereof.

§ 330-61. Engineering and tree services.

Prior to the construction, repair or replacement of sidewalks and curbs, the Borough Engineer, if requested, shall provide proper levels and locations, which data shall be obtained by the Construction Official. The engineering fee and the fee for any other technical services, if required by the Construction Official, shall be paid by the applicant for the permit.

Prior to the construction, repair or replacement of sidewalks and curbs, the Licensed Tree Expert (as defined in Ch. 356), if requested, shall provide a written assessment as to the presence, condition and health of street trees or root systems that will or may be impacted that activity. The Licensed Tree Expert, if requested, shall address adequate measures to protect said trees and roots or the actual replacement of trees that cannot be reasonably protected given their

condition. The fee for the Licensed Tree Expert, if required by the Construction Official, shall be paid by the applicant for the permit.

§ 330.62. Ground cover.

The areas between sidewalks and curbs in residential areas shall be planted with grass or with a green plant ground cover, and, in the event that stones, concrete or some other materials is desired, specific permission therefor shall be obtained first from the Construction Official, whose decision shall be based on the attendant circumstances; further, stones, concrete or some other material shall be permitted only in that part of the Borough which lies east of First Avenue.

§ 330.63. Curb cuts; aprons.

All curb cuts shall be limited to a maximum length of 12 feet per dwelling. All aprons from the sidewalks to the streets shall be constructed of concrete. Macadam or aprons of any other material shall be prohibited.

§ 330-64. Construal of provisions.

This section is intended as a supplement to the Zoning Chapter so that the appeal provisions of the Zoning Chapter shall be available herein. Editor's Note: See Ch. 225, Land Development.

§ 330-65. Violations and penalties.


Every person, firm, association, organization or corporation violating any provisions of this article shall, upon conviction, be liable to the penalty stated in Chapter 1, Article II, General Penalty.

INTRODUCED: December 5, 2017

ADOPTED: December 19, 2017

APPROVED: 
JENNIFER NAUGHTON, Mayor

Attest:


Dina M. Zahorsky, Borough Clerk