

TOWNSHIP OF MAPLE SHADE

Ordinance 2020-05

AN ORDINANCE AMENDING GENERAL LEGISLATION CHAPTER 175 STREETS AND SIDEWALKS AND CHAPTER 88 FEES

WHEREAS, No person, company, firm or corporation shall remove, dig into, disturb, excavate or take up, or cause or permit to be removed, disturbed, excavated or dug up, the surface of any street, sidewalk or other public place or any pavement therein which is under the control of the Township of Maple Shade without first having obtained and being in possession of a valid written permit to do so (175-12.A.), and

WHEREAS, in 2018 as part of an effort to reduce fees to residents and encourage sidewalk repairs, the Township amended ordinance 175-12.B to enable up to five (5) properties to be placed on the same permit application; and

WHEREAS, the Community Development Office in coordination with the Township Police and Municipal Engineer process applications for street excavations within the municipal right-of-way; and

WHEREAS, certain improvements within the municipal the right-of-way are under the department of Public Works; and

WHEREAS, the ordinance requires all permit applications to submit payment of an application fee to cover administrative costs and a flat inspection fee to cover Township engineer review and inspection (curb, sidewalk, aprons, pavement etc.); the inspection fee is deposited into a trust account; and

WHEREAS, many properties within the Township are in need of sidewalk repair which may involve less review and inspection time than larger projects that involve aprons, curbs, and pavement; and as such, the Township believes it is in the best interests of its residents to amend the flat inspection fee ordinance; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Maple Shade that the Township Code is hereby amended as follows: (*Revisions are indicated as underlined and deletions by strike-through.*)

Section 1. 88-16 Street excavations is amended as follows:

- A. Road opening permit application fee: ~~\$50~~ **\$25.00** per opening ~~per roadway~~.
- B. An inspection fee of \$200 per opening per roadway shall be submitted and deposited in a trust account with every permit application (except if the applicant is posting an escrow for inspection - a W9 and developer escrow sheet must be submitted if escrow is posted) to cover the costs of the Township Engineer to review, approve or deny such permit and to inspect all work after completion. Exception, when a permit application involves 1) Sidewalk work only (no apron, curb, or pavement) and/or 2) an application to connect a sump pump system into the municipal right-of-way the inspection fee shall be \$100.00.

Section 2. 175-12 Permit required subsection B. is amended as follows:

- B. At the discretion of the Community Development Director, upon direction from the Township Manager, which may include advice from the Director of Public Works, Traffic Control and the Township Engineer, the separate permit required for each opening may be waived in the case of an applicant(s) making numerous openings (see example 1 below) and shall not be required for the installation of utility poles or guy wires.

Section 3. 175-13.D is amended as follows:

The application and sketch plan shall be approved by the Township Engineer and/or Police Department Traffic Control ~~Chief of Police or his designated representative~~ prior to the issuance of any permit. Applications that only include sidewalk or a sump pump connection to the ROW (no apron, curbs, or pavement) may be reviewed, approved and inspected by the Director of Public Work with input from Traffic Control and if needed the Township Engineer.

Section 4. 175-19 is amended as follows:

Notice of proposed street opening; protection of existing structures.

It shall be the duty of the permittee to give notice of the proposed street opening to any company whose pipes, conduits or other structures are laid in the portion of the street to be opened. Such notice shall be given at least ~~24~~ **48** hours before commencing such opening. The permittee shall, at his own expense, carefully support, maintain in operation and protect from injury such pipes, conduits or other structures. If any damage is caused to such structures, the permittee shall restore them at his own expense.

Section 5. 175-20.A is amended as follows:

- A. The permittee must notify the Community Development Director, Township Engineer, Public Works Director, and the Police Department at least ~~24~~ **48** hours in advance of the exact time of starting the work on all excavations.

