



Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

ORDINANCE #2527

An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey,
Amending, Revising and Supplementing the
Revised General Ordinances of the Township of Bernards,
Chapter 21, "Land Development," Regarding the
Location of Utility Services

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that the Revised General Ordinances of the Township of Bernards, Chapter 21, "Land Development," Article IV, "Zoning," Section 21-26, "Utilities," shall be amended, revised and supplemented as follows (new text is double underlined; deleted text is ~~stricken~~):

SECTION 21-26 Utilities

§ 21-26.1 Utilities to Be Provided. [Ord. #585, § 514A]

- a. All developments shall be served by telephone and electric service and, where available, gas service, public water in accordance with Section 21-25, public sanitary sewerage in accordance with Section 21-24 and cable T.V.
- b. Each such service shall be connected to an approved public utilities system where one exists.

§ 21-26.2 Location. [Ord. #585, § 514B]

- a. All utility services shall be below ground, except that terminal boxes may be located above ground. If located within a street, the utilities shall be outside of the cartway except for required crossings. Lots which abut existing streets where overhead ~~electric or telephone distribution~~utility supply lines and service connections have heretofore been installed may be supplied with ~~electric and telephone~~overhead utility services from these existing overhead lines, ~~but any new service connections from the utilities' overhead lines shall be installed underground~~. In the case of existing overhead utilities, however, should a road widening or an extension of service or other such condition occur as a result of the development and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground, if in accordance with current PUC State of New Jersey Board of Public Utilities regulations.
- b. ~~(Reserved) The developer shall arrange with the servicing utility for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as part of the servicing utility's tariff and on file with the State of New Jersey Board of Public Utility Commissioners. The developer shall submit to the Board, prior to the granting of~~

~~final approval, a written instrument from each servicing utility which shall evidence full compliance or intended full compliance with the provisions of this section.~~

§ 21-26.3 As-Built Plans. [Ord. #585. § 514C]

The developer shall provide the Township with at least four copies of a final "as built" plan showing the installed locations of all utilities.

The Township Clerk is directed to give notice at least ten days prior to hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Somerset County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.

EXPLANATORY STATEMENT

The current ordinance requires that all new utility service connections (electric, telephone, cable) between the street and a new building shall be installed underground, even in areas where existing utility lines on the same street are overhead. The purpose of this ordinance amendment is to allow utility service connections for a new building on an existing street to be installed overhead, if the street has existing overhead utilities.

David Schley, PP, AICP, Township Planner

**TOWNSHIP OF BERNARDS
PUBLIC NOTICE**

Ordinance #2527 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 06/27/2023 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 09/26/2023, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from ckieffer@bernards.org.

By Order of the Township Committee
Christine V. Kieffer, Municipal Clerk

PUBLIC NOTICE

Notice is hereby given that Bernards Township Ordinance #2527 was introduced and passed on first reading at a meeting of the Township Committee on 06/27/2023 and was passed on final reading and adopted following a public hearing thereon at a regular meeting of the Governing Body of the Township of Bernards on 09/26/2023.

By Order of the Township Committee
Christine V. Kieffer, Municipal Clerk