

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2023-047

AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 14, "BUILDING AND CONSTRUCTION", SECTION 14-8, "CONSTRUCTION PROJECTS APPROVED BY LAND USE BOARDS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BOUND BROOK

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bound Brook as follows:

SECTION 1. Chapter 14, "Building and Construction", Section 14-8, "Construction Projects Approved by Land Use Boards", of the Revised General Ordinances of the Borough of Bound Brook is hereby repealed and replaced to read as follows:

14-8 CONSTRUCTION PROJECTS APPROVED BY LAND USE BOARDS.

The submission of an application for construction permits for a project which required Land Use Board approval must include the Borough of Bound Brook Land Use Board Compliance Report and Checklist. All documents submitted for approval must include final approvals from the Planning Board Planner, Planning Board Engineer and Construction Official.

14-8.1 Before demolition requirements.

- a. **A demolition permit must be obtained prior to demolition, the application must contain Letters of disconnection from all utilities along with certification that all lead or asbestos has been abated. Certification of trap and baiting of the structure and surrounding construction area.**

Once the permit is issued the sewer and water cap must be witnessed by the plumbing inspector prior to demolition of the structure Demolition permits will not be issued without the approval by the Construction Official and submission of the Demolition Checklist including the items listed above.

- b. **Security fencing around the perimeter of the property enclosing the entire work site must be installed and approved by the Construction Official.**
- c. **The project site must have sufficient lighting at appropriate locations as designated by the Construction Official.**
- d. **Provision must be made to have the roadways (and sidewalks) abutting the**

construction site swept to eliminate any (and all) construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding (or similar structures intended for the same purpose) is proposed, the scaffolding must have sufficient netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.

14-8.2 During demolition.

- a. The Construction Official must be notified, in writing, of the demolition start date and anticipated completion date, which includes the proper removal of all debris.
- b. Any pedestrian and/or vehicle traffic plan must be agreed to prior to the commencement of demolition by all parties involved (BBPD, county and state if necessary).
- c. An ongoing schedule of trap and baiting of the structure and surrounding construction area must be provided and the Trap and baiting process must be provided continuously during the demolition process until the completion of the demolition process.
- d. Provision must be made to have the roadways [and sidewalks] abutting the construction site swept to eliminate any [and all] construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding [or similar structures intended for the same purpose] is proposed, the scaffolding must have [sufficient] netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.
- e. The project manager shall provide the Construction Official with a schedule of police officer(s) that may be deployed for traffic detail during the demolition process.
- f. No sidewalks, curbing, street, utility poles, lighting or fixtures may be removed or disabled without specific permission from the Borough Administrator. Any request to remove or disable lighting or any other pedestrian or traffic service must be accompanied with a plan to provide a temporary replacement for the service. Temporary lighting must comply with the IEASSA.

14-8.3 Prior to the commencement of construction.

- a. An ongoing schedule of trap and baiting of the structure and surrounding construction area must be provided and the Trap and baiting process must be provided continuously prior to the start of construction and until the completion of the construction process.

- b. The Construction Official may require a covered walkway over a portion of or the entire length of the sidewalk to protect pedestrians and said walkway must be lighted to the satisfaction of the International Building Code Section 3306.7.
- c. An approved water supply for fire protection shall be made available as soon as combustible materials are delivered on site.
- d. For projects exceeding 40 feet (12,192 mm) in height above the lowest adjacent grade, when the noncombustible section of the structure is completed (i.e., parking deck, garage, or retail space), or at such time otherwise required by the Fire Marshal or his/her designee, 24/7 Fire Watch personnel or a 24/7 monitored electronic system approved by the Fire Marshal shall be provided with no less than one approved means of notification to the Fire and Police Departments. Their sole duty shall be to perform constant patrols and watch for the occurrence of fire and security of the site. All on-duty hours are to be kept in a log that can be reviewed on request by the Fire Marshal.
- e. On-site lighting will be provided throughout the project to the satisfaction of the Construction Official.
- f. Provision must be made to have the roadways [and sidewalks] abutting the construction site swept to eliminate any [and all] construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding [or similar structures intended for the same purpose] is proposed, the scaffolding must have [sufficient] netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.

14-8.4 During normal construction.

- a. Portable fire extinguishers shall be installed in every stairwell on every floor level as per International Building Code Section 3309.1.
- b. Provision must be made to have the roadways [and sidewalks] abutting the construction site swept to eliminate any [and all] construction debris, nails or other related materials from causing a hazard on a daily basis. If scaffolding [or similar structures intended for the same purpose] is proposed, the scaffolding must have [sufficient] netting coverage to prevent debris from impacting [the safety of] pedestrians or vehicular traffic.
- c. The Bound Brook Police Department shall be notified no less than 48 hours in advance of the need for traffic and/or pedestrian control measures prior to any construction activity that may encroach upon the public right-of-way or adjacent properties. This includes, but is not limited to, equipment being used or work being undertaken on the project.

14-8.5 Enforcement

This section shall be enforced by the Director of Code Enforcement, the Construction Official or any designated Borough official.

14-8.6 Penalties.

Any person, developer or entity who shall violate a provision of the code, or fail to comply therewith, or with any requirements thereof, shall be issued a summons and mandatory court appearance, whether or not a notice of violation or order shall have been served. Each day that a violation continues shall be deemed a separate offense. Each offense is subject to a fine not to exceed \$500.00.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

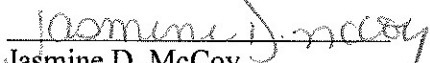
SECTION 4: EFFECTIVE DATE

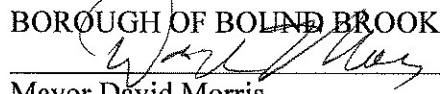
This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

ATTEST


Jasmine D. McCoy
Borough Clerk

BOROUGH OF BOUND BROOK

Mayor David Morris

Date of Introduction: October 24, 2023
Date of Adoption: November 9, 2023