

B-511

**Ordinance amending Hoboken City Code Chapter  
168 "Streets and Sidewalks" to amend Article VIII  
"Road Opening Permits" in accordance with the  
recommendations of the Hoboken City Engineer**

**Introduced, passed first reading as read and laid on  
the table for further consideration of the council at  
next meeting to be held on December 21, 2022 at 7P**

City Clerk  
12/7/2022

**Passed second and final reading.**

City Clerk  
12/21/2022

1st reading #1

12-7-22

4.1

SPONSORED BY: *N. Namor*  
SECONDED BY: *[Signature]*

CITY OF HOBOKEN  
ORDINANCE NO.: *B-511*

**ORDINANCE AMENDING HOBOKEN CITY CODE CHAPTER 168  
"STREETS AND SIDEWALKS" TO AMEND ARTICLE VIII "ROAD  
OPENING PERMITS" IN ACCORDANCE WITH THE  
RECOMMENDATION OF THE HOBOKEN CITY ENGINEER**

WHEREAS, Hoboken City Code Chapter 168 establishes the rules and regulations governing road opening permits; and,

WHEREAS, upon further review and inspection by the City Engineer it has been discovered that the City Code should be amended to require contractors working on City roadways to restore the roadways from "curb to curb"; and,

WHEREAS, it is in the best interest of the City to ensure that roadways are re-paved and restored "curb to curb" for the safety and welfare of motorists on City roadways.

NOW, THEREFORE, the City Council of the City of Hoboken does hereby Ordain as follows (additions noted in underline, deletions noted in strikethrough):

**AMENDMENTS TO HOBOKEN CITY CODE CHAPTER 168 "STREETS AND  
SIDEWALKS" ARTICLE VIII ROAD OPENING PERMITS**

**§ 168-67 WORK SITE RESTORATION.**

- A. Immediately after the work is performed for which the permit had been issued, road repair, backfilling and restoration shall be done in accordance with the City of Hoboken standard details which are incorporated into this Ordinance as Schedule 168-67a. Excavated material shall not be used as backfill, unless approved in writing by the City Engineer as an amendment to the permit conditions.
- B. Temporary pavement or patch work will be permanently restored 30 to 45 days after installation. The opening will be restored to the grade, slope and profile that prevailed at the time of the opening, or as directed by the City Engineer. The permittee is responsible for the full restoration of the roadway surface, including all pavement markings, within 48 hours of opening to vehicle and pedestrian traffic. The applicant is responsible for notifying the City Engineer when all work has been scheduled for completion to arrange for final inspection. All inspections will be performed between 8:00 a.m. and 4:00 p.m., which are the City's normal business hours. Inspections after hours and weekends will be charged accordingly as specified by this Ordinance.
- C. All existing pavements, road surfaces, pavement markings, signs, sidewalks, brick pavers, curbs, gutters, pipes, manholes, drains, conduits or other installations or fixtures,

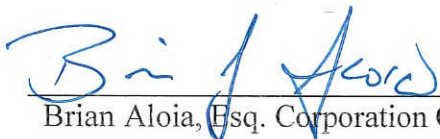
and property damaged or destroyed by the permittee's activity or his/her contractor(s)/subcontractor(s), will be corrected or repaired by the permittee or his/her contractor(s)/subcontractor(s).

- D. Where topsoil, seeded areas, sod or landscaping is disturbed in the course of the work, the permittee will restore such ground surfaces to a condition equal to that prior to commencement of work.
- E. If it is necessary to open a street that has been paved within the last five years from the date of the permit application then it is required that the permittee shall complete final pavement restoration from curb to curb (or, the full width of the road) to a distance of approximately 200 feet around the area of the openings. For roadways that have not been paved in the last five years, infrared pavement restoration should be completed for all openings. This provision shall not apply to individual property owners replacing lead services or emergency water/sewer repairs. The City Engineer shall determine the appropriate scope of work for property owners based upon the nature of the required work and location.
- F. The distances in either direction of the opening will be determined by the City Engineer based on the proximity to other roadways or utility concerns. In most cases, final pavement restoration will encompass 100 feet in both directions of the opening for a full width of the existing road. The City Engineer may allow resurfacing to the center line of the road only if the opening is completed within one lane and does not involve disturbance across the center line however, final determination will be at the discretion of the City Engineer or her designee, based on other engineering and design considerations. Exceptions will be made for emergency lead water service replacements and emergency sanitary sewer lateral service repairs.

Meeting Date: December 7, 2022

Approved as to Legal Form:

Vetoed by the Mayor for the following reasons:

  
 Brian Aloia, Esq. Corporation Counsel

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Adopted by the Hoboken City Council  
 By a Vote of      Yeas to      Nays  
 On the \_\_\_ day of \_\_\_\_\_, 2021

-or-  
 Approved by the Mayor  
 On the 22 day of Dec, 2021

  
 James Farina, City Clerk

  
 Ravinder S. Bhalla, Mayor

✓ Vote Record - CC - Ordinance						
		Yes/Aye	No/Nay	Abstain/Alternate	Absent	
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading <input type="checkbox"/> Tabled <input type="checkbox"/> Adopted <input type="checkbox"/> Failed	Phil Cohen	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Mike DeFusco	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	James Doyle	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Tiffanie Fisher	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Jennifer Giattino	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Emily Jabbour	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Joe Quintero	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Ruben Ramos	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Michael Russo	<input type="checkbox"/> ✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

RAVINDER S. BHALLA  
Mayor



H O B O K E N

OFFICE OF THE CITY ENGINEER

OLGA Y. GARCIA, P.E.  
City Engineer

WILLIAM B. LUPO, P.E.  
City Water Engineer

**MEMORANDUM**

Date: 12/1/2022

To: City Council

Cc: Hon. Ravi S. Bhalla, Mayor  
Jason Freeman, Business Administrator  
Caleb Stratton, Assistant Business Administrator  
Jennifer Gonzalez, Director of Environmental Services  
William Lupo, Water Engineer

From: Olga Y. Garcia, City Engineer

Subject: **Ordinance Amending Chapter 168 "Streets and Sidewalk" Restoration Requirements**

This ordinance will amend the requirements for restoring roadways that have been opened for construction through the road opening permit process. Any road opening permittee who opens a road that was resurfaced within the **last five years** will be required to restore the street **with curb-to-curb pavement** restoration to approximately **200 feet around** the area of openings (100 feet in each direction). This will help maintain and prolong the useful life of City streets that have been recently paved.

Exceptions will be made for property owners replacing lead water service lines and making emergency repairs to sewer lateral services.

Attachment: Road Opening Restoration Requirements Memo (Ordinance Amending Chapter 168 Streets and Sidewalks Article VIII)