

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 2024**

**ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE
OF NEW JERSEY, AMENDING CHAPTER 7, TRAFFIC, OF THE TOWNSHIP CODE
TO MODIFY REQUIREMENTS FOR ROAD CONSTRUCTION/MAINTENANCE
TRAFFIC CONTROLS**

WHEREAS, Section 7-19.2 of the Code of the Township of Mahwah regulates traffic controls for street and highway construction and maintenance operations; and

WHEREAS, to ensure public health, safety and welfare, the Mahwah Police Department has recommended amendments to the regulations regarding approval of traffic control plans and use of civilian flaggers.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Mahwah, County of Bergen, and State of New Jersey, as follows:

SECTION 1. Chapter 7, Traffic, § 7-19, Traffic Controls for Street and Highway Construction and Maintenance Operations, § 7-19.2, General Regulations, of the Code of the Township of Mahwah is hereby amended to read as follows:

§ 7-19.2. General Regulations.
[Ord. #1338, § 1]

- a. Pre-Construction Meetings. It shall be the responsibility of the person, contractor, or public utility wishing to conduct work on, under or above the roadway to contact the Traffic Bureau of the Mahwah Police Department in order to submit plans for the safe movement of traffic during such period of construction work. Any person, contractor, or utility who fails to comply with this section prior to the start of such work or whose plans are not approved by the Traffic Bureau of the Mahwah Police Department is in violation of this section.
- b. Hazardous Conditions. The person, contractor, or utility shall provide the Traffic Bureau with at least two emergency contact phone numbers to be called in case of emergency problems at the construction or maintenance site prior to the start of any work. If for any reason emergency contacts cannot be reached, or if the emergency contact does not respond to the call from the Police Department to correct a hazardous condition, the Township may respond to correct such hazardous condition. The reasonable fees for such emergency service by the Township shall be charged to the person, contractor, or utility responsible for such condition.
- c. Hours. There shall be no construction, maintenance operations or utility work under, on or above any roadway before the hour of 9:00 a.m. or after 4:00 p.m. This time limit may be adjusted to permit work before 9:00 a.m. or after 4:00 p.m. by the officer in charge of the Traffic Bureau of the Mahwah Police Department. If it is determined by the officer in charge of the Traffic Bureau of the Mahwah Police Department that the construction or

maintenance operations prior to 9:00 a.m. or after 4:00 p.m. on any roadway would substantially delay traffic or cause a safety or health hazard, the work shall then be permitted only between 9:00 a.m. and 4:00 p.m.

- d. Road/Lane Closings and Detours. Road/lane closings and/or traffic detours shall not be permitted unless previously approved in writing by the Traffic Bureau of the Mahwah Police Department. It shall be the responsibility of the person/contractor/utility to provide a detailed plan of the proposed road/lane closure and traffic detour to the Traffic Bureau for consideration and approval.
- e. Traffic Director Control Officer. For the purposes of this section, a Traffic Director Control Officer is a Mahwah Police Officer responsible for traffic control at a roadway construction/maintenance site. A Traffic Control Officer shall be posted at all construction/maintenance sites as deemed necessary by the Traffic Bureau of the Mahwah Police Department for safe and expeditious movement of traffic.
 - 1. Civilian Flaggers shall not be used unless the Mahwah Police Department (a) is unable to provide Traffic Director Control Officers with emergency vehicles and has approved such use, or (b) has otherwise approved such use. Civilian flaggers shall not be used in any work/maintenance zone that contains an intersection with a traffic control device, or where such use causes an impact/delay creating unsafe travel at any intersection within the Township of Mahwah. In those cases, a Traffic Director Control Officer is required.
 - 2. Civilian flaggers must meet all qualifications set forth in Section 6E of the New Jersey Manual on Uniform Traffic Control Devices for Streets and Highways and be certified as a flagger by Rutgers University or a comparable organization. Civilian flaggers must be in possession of their certifications when working in any construction/work/ maintenance zone and be able to present them upon request.
- f. Stop Work. The Traffic Bureau of the Mahwah Police Department shall have the authority to stop work, including the removal of equipment and vehicles, stored material within the street right-of-way, back filling of open excavations and/or other related work, in order to abate any nuisance and/or safety hazard or for any violation of this section.
- g. Site Preparation. It is to be expressly understood that no materials, vehicles, or equipment are to be placed in the roadway or sidewalk area until all construction signs, lights, devices, and pavement markings are installed in compliance with the provisions of the M.U.T.C.D.
- h. Emergency Construction. In the case of emergency repair work where construction, maintenance operations or emergency utility work must be performed that will obstruct, interfere with, or detour traffic on any roadway in the Township, the person, contractor, or utility performing such operation shall notify the Mahwah Police Department of such emergency operation. The person, contractor, or utility shall disclose the nature of the emergency, location and hours of operation.

All emergency construction and maintenance operations shall be performed with full regard to traffic safety and conducted in such a manner as to keep traffic interference to an absolute minimum. During such emergency repair work the person, contractor, or utility shall comply with the provisions of the M.U.T.C.D. while performing such emergency repair work.

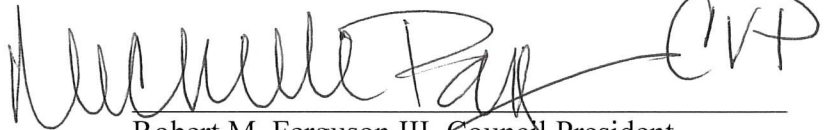
SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

SECTION 4. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

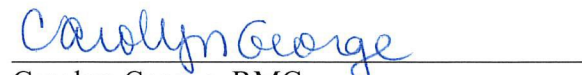
Introduced: 2/5/24
Adopted: 3/18/24
Effective Date: 4/8/24

TOWNSHIP OF MAHWAH



Robert M. Ferguson III, Council President

ATTEST:


Carolyn George, RMC
Municipal Clerk