

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE II OPENINGS AND EXCAVATIONS**

**BE IT ORDAINED** by the Township Council of the Township of Manchester in the County of Ocean, State of New Jersey as follows:

**SECTION 1.** Part II, Chapter 372, Article II, Section 372-7 is hereby amended as follows:

**§ 372-7 Permits not to be issued on streets improved within three years; exception.**

Permits not to be issued on streets improved within three years; exception.

No permit shall be issued by the Township Clerk to any person given notice under § 372-6 which would allow an excavation or opening in a paved or improved street surface less than three years old unless the applicant can clearly demonstrate that public health or safety required that the proposed work be permitted or unless an emergency condition exists.

If a permit is issued in accordance with the above emergency conditions, the permittee shall be required to repave full width of the roadway width in accordance with the standards in Section § 372-9 Construction Requirements and Regulations, for the entire length of the trench plus 5 feet in both directions of the trench edges.

**SECTION 2.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 3.** If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the Section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 4.** This Ordinance shall take effect upon publication in the official newspaper of the Township, as required by and in conformance with law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 28<sup>th</sup> day of May, 2024 at 6:00 p.m. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 10<sup>th</sup> day of June, 2024 at 6:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

  
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Teri Giercyk, RMC/CMC  
Municipal Clerk