



TOWNSHIP OF MANSFIELD
COUNTY OF WARREN

ORDINANCE 013-2024

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 167 – DRIVEWAYS – TO INCORPORATE CERTAIN REQUIREMENTS RELATED TO DRIVEWAY BONDS, AS RECOMMENDED BY THE TOWNSHIP ENGINEER

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend and supplement Chapter 167- Driveways, and to incorporate certain requirements related to driveway bonds, as recommended by the Township Engineer

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey wishes to amend Chapter 167 entitled “Driveways” to incorporate certain escrow-related requirements and language that would simplify the process for the applicants wishing to get a Certificate of Occupancy; and

WHEREAS, the Township Committee believes that such amendments are in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that Chapter 167 – Driveways – is hereby amended and supplemented to incorporate certain requirements related to driveway bonds, pursuant to the recommendation from the Township Engineer.

SECTION I:

Additions to this Section shall be delineated by underlined text, thusly.

Deletions to this Section shall be delineated by strikethrough text, ~~thusly~~.

§ 167-2. Permit Required.

A. Required. No person shall construct, reconstruct, or enlarge a driveway on their property and/or into any public street or highway without first having received a permit to do so from the Township.

B. [. . .]

§ 167-7. Storm Drainage and Stormwater Control.

- A. Provisions for existing structures. Driveway design shall include provisions for storm drainage within the driveway and where it crosses existing roadside ditches or drainage structures.
- B. Drainage design. Storm drainage provisions shall be designated in accordance with the provisions of Article IX, Drainage, of Chapter 361, Design and Performance Standards, of the Township Code.
- C. Driveway design shall include stormwater control as required by the provisions of Article III, Stormwater Control, Chapter 293, Stormwater Management, of the Township Code.

§ 167-10. Application Procedure.

- A. Class I, single-family dwellings not part of a major subdivision. The application and accompanying data shall be submitted in triplicate to the Township Engineer, who shall review the plan and shall do one of the following:
- (1) Approve the plan if all requirements of this chapter have been met.
 - (2) Return the application to the applicant for additional data with a clear statement of the additional data required. Additional review escrow may also be required.
 - (3) Disapprove the application, clearly stating the reasons for disapproval.
- B. Class II and III, all other applications. The application and accompanying data shall be submitted in

triplicate at the time of final subdivision or site plan application or at the time of building permit application if a subdivision or site plan is required, to the Township Engineer who shall review the plan and shall do one of the following:

- (1) Approve the plan if all requirements of this chapter have been met.
- (2) Return the application to the applicant for additional data with a clear statement of the additional data required. Additional review escrow may also be required.
- (3) Disapprove the application, clearly stating the reasons for disapproval.

§ 167-11. Certificate of Occupancy.

No certificate of occupancy shall be issued unless all driveways on the lot or site have been completed in accordance with the approved plan. Inspection to assure compliance will be done by the Township Engineer, except that Class I driveways shall be inspected by the Zoning Officer. Notwithstanding anything to the contrary hereinbefore mentioned, an applicant may, ~~during the period from November 1 to April 15,~~ apply for a certificate of occupancy and defer completion of a driveway on the lot or site in accordance with the approved plan; provided, however, such applicant posts a performance guarantee with the Township or in lieu thereof, cash in an amount equal to 120% of the performance guarantee estimate prepared by the Township Engineer of the cost of completing construction of the driveway. The Township Engineer in arriving at the performance guarantee estimate shall be guided by the surface and other applicable provisions of this chapter, together with the design standards set forth in Chapter 361, Design and Performance Standards, of this Code.

§ 167-12. Fees.

A. The applicant shall pay an application fee in the amount of \$150, together with an escrow deposit in the amount of \$700 to cover engineering review and inspections. Additional review escrow may be required if the application is deemed incomplete wherein information and or documentation as defined in § 167-9 necessary for a complete review and approval is missing and must be requested in order to continue the review process. Furthermore, if the applicant requests to defer completion of the driveway for certificate of occupancy, additional escrow may be requested to prepare and approve the performance bond as described in section 167-11. Additional inspection escrow may be required if there is any deviation from the approved plan. Any unused escrow shall be returned to the applicant upon approval of the driveway installation.

B. [. .]

SECTION II.

Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Mansfield inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION III.

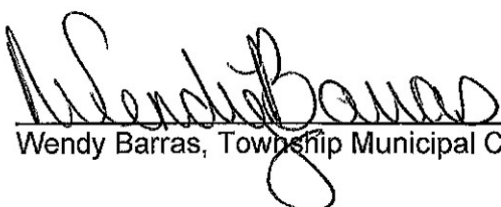
Severability. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

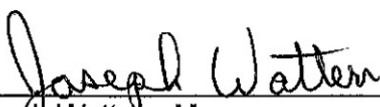
SECTION IV.

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

TOWNSHIP OF MANSFIELD:


Wendy Barras, Township Municipal Clerk


Joseph Watters, Mayor

Motion: Introduce Ordinance Moved by: Mc Guinness; Seconded by: Mora Dillon
Vote: Motion carried by roll call vote (Summary: Yes=4)
Yes: Farino, Mc Guinness, Mora Dillon, Watters
No:
Abstain:
Absent: Hayes

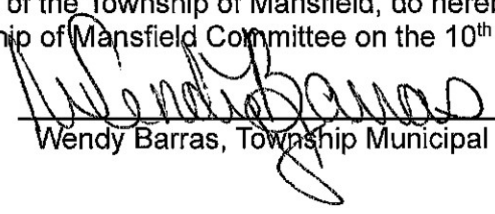
Introduced: June 26, 2024
Published: July 2, 2024
Public Hearing: July 10, 2024

Motion: Adopt Ordinance Moved by: Mc Guinness; Seconded by: Hayes
Vote: Motion carried by roll call vote (Summary: Yes=5)
Yes: Farino, Hayes, Mc Guinness, Mora Dillon, Watters
No:
Abstain:
Absent:

Adopted: July 10, 2024
Published: July 18, 2024

CERTIFICATION

I, Wendy Barras, Township Municipal Clerk of the Township of Mansfield, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Mansfield Committee on the 10th day of July, 2024.



Wendy Barras, Township Municipal Clerk