

First Reading:	07-18-2024
Publication:	07-25-2024
Second Reading:	08-15-2024
Publication:	08-22-2024

ORDINANCE NO. 2788

**AN ORDINANCE AMENDING CHAPTER 23, SECTION 1.5 ENTITLED,
“CONDITIONS OF PERMITS”**

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 23, Section 1.5 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Additional Notification Requirements

§ 23-1.5 Conditions of Permits

- a. A permit shall apply only to the person or entity to whom it is issued and shall not be transferable.
- b. A permit shall be granted on a per opening basis, where openings are contiguous in nature. Separate openings shall require separate permits regardless of their proximity to one another. Each street within a project area shall require a separate permit.
- c. Work under a permit shall commence and conclude within ninety (90) days from the date of issuance of the permit. If work is not commenced within that time, the permit shall automatically terminate, unless extended in writing by the Borough Engineer.
- d. A copy of the permit shall be kept in possession of the person actually performing the work and shall be exhibited on demand to any duly authorized representative or police officer of the Borough.
- e. The Borough Engineer or Borough Clerk may revoke a permit for any of the following reasons:
 1. Violation of any provision of this section or any other applicable rules, regulations, law or ordinance.
 2. Violation of any condition of the permit issued.
 3. Carrying on work under the permit in a manner which endangers life or property, or which creates any condition which is unhealthy, unsanitary or a nuisance.
- f. In special cases, the governing body of the Borough may, by Resolution, impose special conditions to which the issuance of a permit may be subject, or may decide that any provision of this section shall not be applicable or may be modified.
- g. All permittees must provide written notice, either by hand delivery or direct mail, to residents and businesses within a two-hundred (200) foot radius of a project area no less than 72-hours prior to the commencement of work. In the case of emergency work required in advance of the application and receipt of a permit issued pursuant to this Section, the party responsible for such emergency work shall notify affected residents and**

businesses as soon as practicable but no later than 24-hours after commencement of work. In all cases, notice must also be provided to the Borough Engineer and Borough Clerk concurrently in identical form and timing. Such notices must include, at a minimum: a description of work, the location of work, the expected duration of work, contact information for the utility, contractor, or responsible entity, information about any expected disruptions to utility services or access, and the need for added safety precautions. Failure to provide the notice as outlined in this Paragraph shall explicitly be considered a violation of this Section which shall be subject to the violation and penalty provisions of §23-1.9.

~~g.h.~~ The Borough Clerk and Borough Engineer may make any rules and regulations which they consider necessary for the administration and enforcement of this section, but no regulation shall be inconsistent with, alter or amend the intent of any provision of this section or impose any requirement which is in addition to those expressly or by implication imposed by this section. Copies of all current regulations shall be furnished to each permittee at the time of the issuance of the permit.

SECTION 2. Inconsistent Ordinances Repealed.

All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 3. Captions and Editing Indications.

Any captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 4. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

Introduction: July 18, 2024

Adoption: August 15, 2024

Attest: _____

Andrew J. Casais, RMC
Borough Clerk

Joseph Signorello III
Mayor

Record of Vote – Introduction				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Connelly	X			
Johnson	X			
Signorello	X			
Lyons	X			
Patel	X			

Record of Vote – Adoption				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Connelly	X			
Johnson	X			
Signorello	X			
Lyons	X			
Patel	X			

Copy To: **Colliers (Borough Engineer), D. Frino (Police Chief), K. Wintermute (Police Captain), R. Belluscio (Construction Official), G. Budesheim (DPW Superintendent).**