

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2024 - 029 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 135 “FEES AND COSTS” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township Administrator, Engineering Office and Clerk’s Office have recommended revisions to the Fees and Costs of Right-of-Way Entry Permits based upon the work required for processing said permits; and

WHEREAS, the Mayor and Township Council have reviewed said revisions and believe that the changes are in the best public interest noting the time required for a Right-of-Way Entry Permit.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Chapter 135 Fees and Costs Section 33 Right-of Way Entry of the Township of West Milford shall be amended as follows:

SECTION 1. Chapter 135 “Fees and Costs”, Section 33 “Right-of-Way Entry” is amended to read as follows:

§ 135-33 Right-of-Way Entry

In accordance with Chapter 332, Streets and Sidewalks, Article I, Right-of-Way Entry Permits, the applicant for a Right-of-Way Entry permit shall pay a filing fee of \$50.00, and the following inspection fee(s) apply:

- A. The applicant shall pay an inspection fee of \$75.00 for the Excavation / Pavement Opening section of the permit. Any excavation over 200 square feet shall include an additional \$0.05 per square foot.
- B. The applicant shall pay an inspection fee of \$75.00 for the Storm Drainage Connection / Alteration section of the permit.
- C. The applicant shall pay an inspection fee of \$100.00 for the New Driveway Construction / Driveway Overlay section of the permit.
- D. If more than one section is applicable, the summation of each section’s inspection fee shall apply.

These fees are in addition to the cash maintenance bond required by Chapter 332, Article I.

SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law and upon the posting of appropriate signs.

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: June 12, 2024
Adopted: July 17, 2024
Effective Date: August 6, 2024

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

William Senande, Township Clerk

By: _____
Michele Dale, Mayor