

**Chapter 218**

**STREETS AND SIDEWALKS**

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Department of Public Works — See Ch. 64.  
Sewers — See Ch. 208.  
Subdivision of land; site plans — See Ch. 220.  
Zoning — See Ch. 248.

**ARTICLE I**  
**Street Openings**  
**[Adopted 4-21-1986 by Ord. No. 86-3]**

**§ 218-1. Purpose.**

The purpose of this Article is to establish regulations and fees for the opening of municipal streets within the Borough of Wood-Ridge.

**§ 218-2. Definitions.**

The following terms shall, for the purpose of this Article, have the meanings here indicated:

**EXTENSIVE OPENING** — An opening, tearing up or excavating, for any purpose, of the borough road of 100 feet or more of roadway length or where connecting bilateral openings are made at average intervals of less than 100 feet along the roadway length or an opening which disturbs 20% or more of the pavement area.

**OWNER** — Any person, corporation, public utility or other entity on whose behalf a street opening is performed by a permittee.

**PERMITTEE** — Any person, firm or corporation granted a permit hereunder.

**PUBLIC UTILITY** — New Jersey Bell Telephone Company or its successor corporation or corporations, Public Service Electric and Gas Company, Hackensack Water Company, cable television company or any other entity having either the power of eminent domain or subject to the regulations of the Public Utilities Commission of the State of New Jersey.

**SMALL OPENING** — Any opening, tearing up or excavating, for any purpose, of the borough road which is not an extensive opening.

**STREET** — Any street, road or other public way dedicated to and accepted by the Borough of Wood-Ridge, and shall include all of the area lying within the bounds of the dedicated right-of-way.

**§ 218-3. Permit required.**

- A. No person, persons or corporation, municipal or private, nor any utility company, public or private, shall, for any purpose, open, tear up, excavate, bore, tunnel or drive under or in any way impair the surface or subsurface within the limits of the right-of-way of any street in the Borough of Wood-Ridge without first obtaining a road-opening permit from the Borough Clerk (hereinafter "Clerk").
- B. Nothing contained in this section shall be construed as requiring the issuance of a permit for the performance of any work done by the borough or under a contract with the borough for the construction of waterlines, sewer lines or street improvements.
- C. No person or corporation shall be issued a road opening permit until he presents satisfactory proof, in the form of a request number, which may be verified through the "one number to call center" of the appropriate utility, or a written statement from the person or corporation engaged in the distribution or submission of manufactured, mixed or natural gas or synthetic natural gas, liquified natural gas or propane gas in the area of the proposed road opening, that said applicant has complied with the requirements of N.J.S.A. 2C:17-4 and 2C:17-5, which provide, among other things, that said applicant give to any person or corporation in the distribution or transmission of the aforesaid gases in the area of the proposed excavation written notice of the proposed excavation and ascertain from such person or corporation the location of all such gas lines or pipelines within 200 feet of the proposed excavation.

- D. Non-opening of road. No street, road or paved area constructed, reconstructed or repaved within three years of the time that the road is sealed can be excavated, built or patched without a demonstration by the permittee that an emergency exists, Gas leaks, water main leaks and sewer breaks shall be considered examples of emergencies.
- E. Certification of all underground facilities having been previously located shall be marked using standard color codes for gas, water and other utilities. Certification must indicate marking authorization number.

**§ 218-4. Application for permit.**

- A. Form. Application for a permit shall be made, in writing, on forms to be prescribed by the Superintendent of the Department of Public Works (hereinafter "Superintendent") and issued by the Clerk and shall be filed at least one week prior to the commencement of any work. The application shall specify the name and address of the applicant; the specific location of the proposed excavation and the width, length and depth thereof; the type of road or other surface; and the individual(s), partnership or corporation for whose benefit the excavation is to be made and shall be accompanied by a nonrefundable fee for the issuance of the permit as hereinafter set forth. Application for extensive openings shall require, in addition to the above, information regarding all improvements; typical detail and section of construction procedure; and plans, profiles and other details necessary to accurately depict the work. The requirements of the preceding sentence shall not be necessary in the event of an application by a public utility. No work may commence by a permittee until the date set forth in the issued permit.
- B. Emergency road opening.
  - (1) In the event that an emergency condition exists requiring immediate action by any person requested

to obtain a permit pursuant to this section, the person may immediately cause the roadway to be entered and emergency measures taken without first obtaining a permit, provided that:

- (a) A true emergency exists and the person has notified the Wood-Ridge Police Department prior to the start of work, who shall log the emergency.
  - (b) A permit is applied for within 24 hours of the road opening or on the next business day, whichever is more practical.
  - (c) All work is performed in accordance with the provisions of §§ 218-5, 218-6, 218-7 and 218-8.
  - (d) The Superintendent or the Borough Engineer shall be notified within 24 hours of a road opening. If a road opening commences on a Saturday or Sunday as a result of emergency work, the Police Department of the Borough of Wood-Ridge shall be notified prior to the start of work immediately and the Superintendent or Borough Engineer (hereinafter "Engineer") shall be notified on the morning of the first business day thereafter.
- (2) The borough reserves the right to issue a written stopwork order where the same is deemed appropriate by the Superintendent or Engineer.
- C. Review of the application for small openings. Prior to the issuance of a permit, copies of the application therefor shall be referred to the Superintendent or the Engineer, who shall note any objections to the issuance of a permit or any conditions to be imposed on the application within five working days. All objections and all conditions shall be satisfied prior to or be imposed as conditions upon the issuance of the permit, as appropriate.

- D. Applicant. With the exception of private homeowners, all applicants must be contractors licensed by the State of New Jersey or agents of a public utility, whether corporate, individual or partnership, who will actually be engaged in the performance of the work for the adherence of the work to the specifications and for the safety of the public. With the exception of private homeowners and public utilities, the application shall be made for and on the behalf of the owner for whom such work is being done and shall be countersigned by such owner. Permits cannot be issued directly to private developers without specific written approval of the Mayor and Council.
- E. Agreement. Except where otherwise provided by law or where governed by borough ordinance, the owner shall, as a condition of the issuance of a permit, agree that any facilities, pipe or poles or other objects to be installed within the borough right-of-way pursuant to the permit shall be promptly relocated, at the owner's expense, as required by the Borough of Wood-Ridge to accommodate the installation of borough facilities. Such agreement shall be in writing and contained on the face of the application form and permit.
- F. Review of application for small and extensive openings. All small and extensive openings shall first be reviewed and approved by the Superintendent, and extensive openings shall subsequently be reviewed and approved by the Engineer prior to the issuance of a permit.
- G. Issuance. Street-opening permits shall be issued by the Clerk once reviewed and approved as provided for herein; provided, however, that no permit shall be issued until an application fee and an engineering fee, both of which are nonrefundable, have been paid to the Clerk.

**§ 218-5. Work requirements.**

- A. Generally. The New Jersey State Department of Transportation 1983 Standard Specifications for Road and

Bridge Construction, with all amendments and supplements, shall govern all of the work performed under Borough of Wood-Ridge road-opening permits, except as supplemented below:

- (1) No borough road shall be closed to traffic without prior written consent of the Police Department. In the event that a road is closed, uniformed police may be required to act as traffic directors, and the proper traffic control devices shall be erected and maintained in accordance with standards described in the Manual on Uniform Traffic Control Devices, 1971 Edition. All costs of providing uniformed police shall be the responsibility of the permittee or the owners. In the event that a detour is deemed necessary by the permittee, application shall be made to the Chief of Police, who shall determine the necessity for such detour and the route to be followed. In emergency situations, notification by phone to the Police Department shall be done prior to the start of work.
  - (2) Any work under an issued permit must be commenced within three months from the date of issue and completed 45 days from commencement, or said permit shall be deemed void, and reapplication shall be required.
  - (3) Work commenced under a permit shall be continued without interruption during normal working hours until completed.
  - (4) The applicant shall notify the Clerk and the Superintendent or the Engineer 24 hours in advance of the actual commencement of any work under a permit.
- B. Guard. The applicant shall keep the work site property guarded both day and night and shall have lights, barriers and adequate safety devices, as described in the Manual on Uniform Traffic Control Devices, placed thereat and

maintained throughout the performance of the work and shall interfere as little as possible with traffic along the street or road within the borough, and only that part of any such street or road as is set forth in the permit shall be opened.

- C. Minimum cover. All utilities shall be constructed with a minimum of three feet of cover to provide protection for the utilities in the event that future borough road construction, repair or modification necessitates excavation, undercutting or installation of facilities in the area where the utility is located. This location will in no way relieve the utility owner of the responsibility of relocating said utility at said utility owner's expense in case of conflict with future construction, reconstruction or modification of related facilities, except as otherwise specified herein. The aforementioned three-foot minimum cover may be waived by the Superintendent or Engineer if the applicant prepared and filed certified plans indicating the location, extent and depth of the facilities and said plans are approved by the Superintendent or Engineer. This subsection shall apply only to new construction.
- D. Protection of existing structures. It shall be the responsibility of the permittee to give proper notice of the proposed street opening to any person, firm or corporation whose pipes, conduits or other structures are laid in the portion of the street to be opened. Said notice shall be given, in writing, a minimum of 72 hours before commencement of said opening, and the permittee shall, at his own expense, carefully support, maintain in operation and protect from damage such pipes, conduits or other structures. If any damage is caused to such pipes, conduits or structures, the permittee shall restore the same, at his own expense, to the condition they were prior to commencement of work, except that gas facilities must be repaired by Public Service Electric and Gas Company.
- E. All excavations shall be completely backfilled at the end of each working day, unless it would constitute a hardship to

the permittee or where the size of the excavation makes it impossible to backfill at the end of each working day, in which event a waiver may be granted by the Superintendent or Engineer. In the event that a waiver is granted, the contractor or owner shall cover the excavation with heavy one-inch-thick plates secured to existing pavement to prevent raffles and movement and erect appropriate barriers and lights around the entire excavation and arrange to provide appropriate security protection, if such security is necessary, at his own cost and such other safeguards as may be needed to protect the public from an open excavation. If plates are placed for over a weekend or for an extended period, all edges are to be macadam-sealed and sloped. In no event shall an excavation be left open for more than 72 hours, unless an emergency exists and permission has been secured from the Chief of Police, Superintendent, Engineer or their designated representative.

**§ 218-6. Duty of permittee to repair and clean streets and property.**

- A. The permittee shall be liable to any damage to work site roads. In the event that any such damage is not repaired within 30 days after completion of the street opening, the cost for the repair of the same shall be deducted from the permittee's deposit held by the Clerk.
- B. The permittee shall, on a continuing basis, maintain all streets and other property affected by the construction in clean condition free from all rubbish, excess earth, rock and other debris. Upon completion of all work under the permit, the permittee shall again clean the affected property to remove all debris and unused material. In the event that the permittee fails to act as provided herein, the borough, upon 24 hours' notice to the permittee, may clean and remove all rubbish, excess earth, rock, debris and unused material and charge the permittee for the cost thereof. If the permittee fails to reimburse the borough for

the costs incurred, said costs shall be deducted from the permittee's deposit held by the Clerk.

**§ 218-7. Inspections.**

The Superintendent or Engineer shall periodically inspect all road openings and the repair and resurfacing thereof for the purpose of determining compliance with the conditions imposed on the issuance of the permit and the specifications. The borough may, upon the recommendation of either of them:

- A. Order a temporary stop to any road opening.
- B. Order that the applicant perform or correct work in accordance with the directions of the borough.
- C. Order a stop to any work and revoke the permit, in which event the Borough of Wood-Ridge shall complete the work or cause it be completed and either declare the applicant's deposit forfeited or notify the applicant's surety of an intent to file claim on the bond.
- D. Authorize the correction of any work after notification to the permittee and after the neglect or the refusal of the permittee to make such corrections within 24 hours and, after the completion of the same, either declare the permittee's deposit forfeited or notify the permittee's surety of an intent to file a claim on the bond.
- E. Take any other action deemed reasonable under the circumstances to protect the borough's interests.

**§ 218-8. Specifications for openings.**

No road opening shall be permanently paved until a final inspection has been made by the Engineer or Superintendent and final approval given.

## A. For all openings:

- (1) The paved roadway surfaces shall be saw-cut or blade-cut vertically on a straight line before excavating.
- (2) The material excavated from the trench opening shall not be replaced as backfill unless expressly authorized by the Superintendent or Engineer. Excavated materials must be removed from the work site the day of excavation.
- (3) The backfill of stone or bank-run sand shall be furnished from outside sources.
- (4) The uncompleted length of road opening allowed under a permit at any one time shall not exceed 50 linear feet, unless a special need can be established by the permittee and approval to exceed this limitation is secured from the Superintendent or Engineer. Such special need shall be noted, in writing, to the Superintendent or Engineer before such permission is granted, except in unusual cases and/or emergencies. In that event, such special need shall be documented, in writing, after approval is granted.
- (5) Where existing manholes are located in the shoulder areas, a minimum of two inches of asphalt FABC-1 Mix No. 5 shall be placed eight feet on both sides of the manhole casting on four inches of quarry-processed stone. The width of the FABC-1 Mix No. 5 shall vary to the dimensions of the existing shoulder.
- (6) All backfill shall be placed in six-inch layers, with each layer thoroughly compacted by mechanical means to the satisfaction of the Superintendent or Engineer. The Superintendent or Engineer shall have the right to require a compaction test to be

performed by an independent laboratory, at the expense of the permittee.

- (7) After proper settlement and cutback, for any portion of the road, the entire width of the trench, plus a four-inch overlap, shall be overlaid with a 1 1/2 inch minimum thickness FABC Mix No. 5 pavement applied to the entire length of the disturbed area and rolled in place to obtain a smooth pavement surface and sealed at all edges.

B. Asphalt pavement openings.

- (1) For openings in old asphalt pavements, backfill material shall be deposited in six-inch layers and thoroughly compacted to a level eight inches below the surface level of the adjacent paved surfaces. The openings shall be cut back six inches beyond the perimeter of the trench opening. The base course shall be bituminous stabilized base stone mix, Mix No. 1, six inches thick (two lifts). The surface shall be two inches compacted depth of FABC-1 Mix No. 5. All joints between the new and existing pavements shall be sealed with a tack coat.
- (2) When road openings are in sequence or are within three feet of another opening, the surface area of the combined openings will be paved to form one surface. The surface course shall be two inches compacted depth of FABC-1 Mix No. 5, with all joints between the new and existing pavements sealed with a tack coat.

- C. Concrete pavement surface openings. For all openings in concrete pavement surfaces, the trench backfill shall be compacted in six-inch levels to a level two inches below the top of the adjacent paved surface. The opening shall be cut back six inches beyond the perimeter of the trench opening. A two-inch compacted depth of stabilized base shall then be placed, compacted level with the existing pavement and shall be maintained by the permittee to a

pavement level by adding additional bituminous material until final settlement has occurred. A pavement of four-thousand-pound concrete eight inches in depth shall be constructed level with the existing pavement surface. A layer of heavy six by six No. 6 gauge wire mesh reinforcement shall be placed in the opening and extend fully into the cutback shelf at the point for six inches below the finished elevation.

- D. Nonpaved area. All grass or graveled area or sidewalk areas disturbed within the borough right-of-way shall be reconstructed, topsoiled, seeded and mulched within 14 days of completion of excavation. All concrete areas will be thoroughly compacted. These limits may be waived by the Superintendent or Engineer only when abnormal temperatures or inclement weather necessitates the same.
- E. All work shall be guaranteed for a period of 12 months.

**§ 218-9. Insurance and security requirements.**

- A. Insurance. The applicant shall present evidence satisfactory to the Borough Attorney of insurance sufficient to indemnify and save harmless the borough and its agents and servants against and from all suits and costs of every kind and from all personal injury or property damage resulting from negligence or from any phase of operations performed under the permit. Said insurance shall provide limits of not less than \$1,000,000 single limit or, in the case of a public utility, may be in the form of a certificate of self-insurance. Where there is an extensive opening, the Superintendent or the Engineer may request additional insurance, if it is deemed necessary under the circumstances.
- B. Security.
  - (1) The Clerk shall not issue a permit unless the applicant has deposited, as security for faithful performance, a certified check made payable to the

Borough of Wood-Ridge or filed a bond with surety satisfactory to the Borough Attorney, the amount thereof to be based upon the security deposit fee schedule as contained in § 218-10 of this Article. A public utility applicant may, in lieu of the security required above, deposit an annual corporate bond in the amount of at least \$50,000. The surety bond shall be renewed annually. In the event that a public utility applicant applies for a permit for road opening and/or road openings and the required security deposit fees set forth in § 218-10 exceeds said \$50,000, the public utility applicant shall file a surety bond in an amount equal to the difference between the \$50,000 and the required security deposit. For all non-public utility applicants, the surety bond shall be at least \$1,000. A certified check for a lesser amount may be deposited, however, in the amount provided by § 218-10, for the work to be performed.

- (2) Upon satisfactory completion of all work permitted or required under the permit for extensive openings, if the security deposit is \$2,000 or less, the Borough of Wood-Ridge will retain 100% of the security deposit as security for maintenance of said work for a period not to exceed one year from the date of completion, provided that, if the security deposit is in the form of a certified check, the permittee may deposit a surety bond of \$2,000, satisfactory to the Borough Attorney, in lieu of said certified check. If the security deposit is greater than \$2,000, then the borough will release or refund 60% or more of the same, with the approval of the Superintendent or Engineer, and a surety bond may be deposited for the maintenance as set forth above. All bonds and certificates of insurance shall contain a provision that the same shall remain in full force and effect for a period not to exceed one year after the last work under any permit has been completed and accepted by the borough.

- (3) In the case of a small opening, the borough shall retain the security deposit for six months after satisfactory completion of all work permitted or required under the permit, provided that, if the security deposit is in the form of a certified check, the permittee may deposit a security bond in lieu of said check.

C. Application fee and escrow deposit.

- (1) The applicant shall also pay, by separate money order, certified check or, if the applicant is a public utility as herein defined, by a corporate check, a nonrefundable application fee as set forth in § 218-10 of this Article. Applicants other than a public utility shall pay, by separate money order or certified check, a refundable escrow deposit fee for inspection and professional services as set forth in § 218-10 of this Article. The unused portion of the escrow deposit shall be returned. Should the escrow deposit fee account at any time become insufficient to cover the actual or anticipated inspection and professional expenses, said fund shall be subject to increase on demand of the Clerk.
- (2) The borough shall pay from the escrow deposit fee any costs incurred by its designated representatives or professional consultants for inspection or other engineering services or legal fees required in connection with the proposed opening or excavation at the rates established.

**§ 218-10. Fee schedule.**

- A. The application fee, nonrefundable (other than public utilities), shall be as follows:

- (1) Road opening:
    - (a) First five linear feet by three feet wide: \$25.
    - (b) From five linear feet to 25 linear feet by three feet wide, to be defined as the longest dimension: an additional \$20.
    - (c) From 25 linear feet to 50 linear feet by three feet wide: an additional \$40.
    - (d) Extensive openings: \$75.
  - (2) Boring, tunneling or driving under road, lump sum minimum: \$75.
  - (3) Curb, gutter, apron, sidewalk or driveway: lump sum, plus \$15 when affected by excavation.
  - (4) Application fees shall be accumulated in one account for each public utility, and said funds can be utilized for the payment for expenses incurred by the borough for any work performed for the permittee without restriction as to which application the funds were originally posted.
  - (5) In lieu of individual application fees, public utilities may pay annual fees of \$1,000.
- B. The security deposit fee for guaranteeing restoration of pavement, curbing or topsoil shall be as follows:
- (1) Opening, paved areas, curb, gutter, sidewalk, driveway:
    - (a) Base charge: \$25.
    - (b) Charge for each square yard of trench opened: \$15.
    - (c) Charge for each square yard of paving: \$5.
    - (d) Charge for each linear foot of curb: \$7.

- (2) Opening shoulders and roadside areas:
  - (a) Base charge: \$25.
  - (b) Charge for each square yard of trench opened: \$5.
- (3) Boring, tunneling or driving under the road:
  - (a) Base charge: \$25.
  - (b) Charge per linear foot of boring: \$1.

C. The escrow deposit fee, engineering and legal costs shall be as follows:

- (1) All road openings, excavation, boring and other work as stated on the permit application:
  - (a) Base charge, including first five square yards on any trench, driveway or sidewalk opening torn up or excavated, and including the first 20 linear feet of any curb or gutter torn up or excavated: \$100.
  - (b) For all work proposed on each application that exceeds the quantities delineated in Subsection C(1)(a) above, a work schedule shall be submitted to and approved by the Superintendent or the Engineer, who shall estimate the total escrow deposit fee required based thereon. If, at any time during the course of the work, it appears evident to the Superintendent or the Engineer that the escrow deposit fee is or will be insufficient to cover all costs of inspection and/or other professional services, additional escrow deposit fees shall be estimated by the Superintendent or the Engineer and paid to the Clerk, based on a revised work schedule to be submitted by the applicant. This procedure shall be reported as

often as necessary to guarantee sufficient escrow deposit fees being available.

- (2) Actual payment from the escrow deposit fee fund shall be based upon the following rates:
  - (a) Professional engineering services: minimum fee of \$50 per hour.
  - (b) Attorney: minimum fee of \$65 per hour.

**§ 218-11. Return of deposit upon completion of work.**

Upon the completion of any such work, the Superintendent or Engineer shall file a report on a form to be furnished for that purpose, which report shall contain the date of completion, the amount of deposit, the cost to the borough of resurfacing the area so excavated or opened, if the same shall have been necessary, and the balance, if any, due to the applicant. Upon receipt of the report by the Clerk, the balance due, if any, to the applicant on account of any deposit shall be forthwith returned.

**§ 218-12. Violations and penalties.**

Any person, company, firm or corporation who or which shall violate any of the provisions of this Article shall, upon conviction of such violation, be subject, for each offense, to a fine not exceeding \$1,000 or imprisonment for a term not exceeding 90 days, or both. In case of failure to restore pavements or roads or streets as hereinabove provided, after written notice by the Clerk to do so, each day that such pavement, roads or streets remain unrestored shall constitute a separate offense.

**§ 218-13. Depositing material in streets prohibited.**  
[Added 12-19-1994 by Ord. No. 94-25]

- A. No person shall place or deposit snow, for the purpose of disposing of the same, in or upon any public street, road or public road.
- B. No person, for the purpose of discarding the same, shall throw or permit to be thrown any wastepaper, garbage, refuse or other waste material upon any street, sidewalk or other public place, provided that nothing herein contained shall, in case of snow or ice upon a public street, roadway or public sidewalk or other public place, prevent the temporary deposit of clean sand, salt or other chemical upon any street, sidewalk or other public place to enable the safe use of the same.

ARTICLE II

**Sidewalk Specifications and Landowner Responsibilities**  
[Adopted 10-16-1995 by Ord. No. 95-16]

**§ 218-14. Lines and grades.**

The lines and grades of all sidewalks must conform to the lines and grades as shown on the map of such street, as prepared and/or approved by the Borough Engineer.

**§ 218-15. Sidewalk widths.**

The width of all sidewalks shall be four feet.

**§ 218-16. Sidewalk specifications.**

The specifications for laying and construction of concrete sidewalks in the Borough of Wood-Ridge shall be as follows:

- A. Grading. The sidewalks are to be graded from the curblineline to the property line, to the proper grade of 1/4 inch to one-foot rise. Such portions as are above grade shall be

excavated, and such as are below grade shall be filled in. Where the fill is more than six inches, it must be placed in layers and thoroughly compacted. All fill shall be compacted where tree roots are encountered; the Borough Engineer and Shade Tree Commission shall determine the need to install a deep-root-control-barrier system to prevent roots from growing beneath the sidewalk.

B. Foundation.

- (1) The concrete slabs shall be four feet in width, accurately laid to the proper line and grades approved by the Borough Engineer.
- (2) The walks shall be excavated four inches below the finished grade of the sidewalk for at least the full width of the concrete slab. If unsuitable subgrade soil is present, clean, granular material approved by the Borough Engineer shall be placed and compacted to the level of four inches below the finished walk grade.

C. Concrete mix.

- (1) Concrete mix shall have a design compressive strength of 3,500 pounds per square inch at 28 days.
- (2) The concrete, when placed in the forms, shall be well rammed and tamped until the mortar flushes to the surface and shall be four inches in depth finished in place. Bituminous-cellular-type and preformed-bituminous-type expansion joint material shall be placed every 10 feet and shall extend completely through the four-inch thickness. Score marks will be made at the five-foot space between expansion joints.

D. Finishing or wearing surface.

- (1) The mortar shall be leveled off to a proper grade with a straightedge and, when sufficiently firm, shall be rubbed down to a true and even surface with the

proper tools in a uniform manner satisfactory to the Borough Engineer, finished with a wooden float to an even, continuous surface and lightly brushed with a dampened brush as a final finish. The wearing surface shall be blocked off in sections of five feet in length.

- (2) Retempering mortar or concrete, i.e., remixing with water after it has partially set, shall not be permitted.
- (3) After the addition of water to the concrete mixture, it shall be handled rapidly to the place of final deposit, and under no circumstances shall concrete be used which has partially set before final placing.
- (4) When completed, all walks shall be kept moist and protected from traffic and the elements for two or three days, according to the weather conditions. The forms will be removed with great care, and, upon their removal, the edges of the walk shall be protected in a suitable manner, and the protection will be such as to prevent any damage or intrusion on the work until it has hardened.
- (5) The forms used in constructing sidewalks may be approved iron sidewalk forms or wood strips. If wood strips are used, they must be thoroughly staked, etc., and be not less than two by four inches.

E. Driveway apron. If concrete driveway aprons are required in sidewalks, they shall be constructed of the same quality as the concrete sidewalks already described, but the concrete shall be six inches thick. The slope of the driveway apron shall extend in a continuous grade from the top of the depressed curb to the profile line of the back edge of the walk, as dictated by the cross slope of one-fourth-inch rise for each horizontal foot of width as measured from the face of the curb to the back edge of the walk. In the event that this grade is in conflict with the level of a preexisting driveway surface and to modify the

driveway would entail extensive reconstruction, the grade at the back of the walk to the grade required to match the driveway shall be a minimum of five feet or as approved by the Borough Engineer.

**§ 218-17. Permits and inspections for sidewalks, curbs and driveway openings.**

Sidewalks, curbs and driveway openings located on a dedicated or accepted public right-of-way shall be considered as structures and shall be subject to all administrative requirements of the Building Code<sup>1</sup> as regards permits and inspections. The sidewalks and curbs shall be installed in compliance with the Land Use and Zoning Ordinance of the borough.<sup>2</sup>

**§ 218-18. Responsibility of landowner for cost of construction and repair.**

Whenever the Construction Code Official of the Borough of Wood-Ridge certifies to the municipal governing body that any sidewalks and curbs are in need of construction, repair, alteration, relaying or maintaining, the expense of the same shall be borne by the landowners abutting the improvement.

**§ 218-19. Notice to owner of required improvements.**

The Borough Council, upon receipt of the certification set forth in § 218-18 hereof, shall determine the necessity of said improvement, and, if it deems that said improvement is necessary, it shall, by resolution, cause a notice, in writing, to be served upon said abutting owners or occupants of said lands, requiring said property owner to agree within 30 days that the necessary specified work to said curb and/or sidewalk shall be done by said owner or occupant within a period of not less than

1. Editor's Note: See Ch. 126, Construction Codes, Uniform.

2. Editor's Note: See Ch. 248, Zoning.

30 days nor more than 90 days from the date of service of such notice.

**§ 218-20. Manner of serving notice.**

Whenever said abutting lands are unoccupied and the owner cannot be found within the municipality, the same may be mailed, postage prepaid, to his or her post office address, if the same can be ascertained. In the event that such owner is a nonresident of the municipality or his or her post office address cannot be ascertained, then the notice may be inserted for four weeks, once a week, in some newspaper published in the state and circulating in said municipality.

**§ 218-21. Failure to comply; work to be done by borough; cost to become lien.**

In the event that the owner or occupant of such abutting lands shall not comply with the requirements of said notice, it shall be lawful for the Borough Administrator of the municipality, upon filing due proof of the service or publication of the aforesaid notice in the appropriate department of the municipality, to cause the work required to be done and paid for out of municipal funds available for that purpose. The cost of such work shall be certified by the Borough Engineer to the department or person having charge of the collection of assessments in such municipality. Upon filing said certificate of costs, the amount of the cost of such work shall be and become a lien upon said abutting land in front of which such work was done, to the same extent that assessments for local improvements are liens in the municipality, and shall be collected in the manner provided by law for the collection of such other assessments and shall bear interest at the same rate. In addition thereto, the municipality may commence, in any court having competent jurisdiction thereof, an action against the owner of said lands to recover said amount.

**§ 218-22. Approval authority.**

Sidewalk construction, repair, alteration, relaying or maintaining shall be in conformance with the requirements of this Article and subject to supervision and approval of the Borough Engineer.

**ARTICLE III****Sports Equipment in Roadways**

[Adopted 9-15-2009 by Ord. No. 2009-14]

**§ 218-23. Purpose.**

The purpose of this article is to protect the health, safety, and welfare of Borough residents and the motoring public by prohibiting the placement of basketball and other sports equipment in the public roadways.

**§ 218-24. Prohibition.**

Basketball and other sports equipment, poles, nets, or hoops of any kind are hereby prohibited on any public street or roadway within the Borough of Wood-Ridge.

**§ 218-25. Violations and penalties.**

Except as otherwise provided in N.J.S.A. 40:49, any person(s) who violates any of the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

**§ 218-26. Enforcement.**

It shall be the duty of the Borough of Wood-Ridge Police Department to enforce the provisions of this article.