

City of Lambertville

Ordinance 09-2011

An Ordinance to Amend Chapter XIV, Streets and Sidewalks, Section 14-1, Street Openings

CHAPTER XIV

STREETS AND SIDEWALKS

14-1 STREET OPENINGS.*

14-1.1 Permit Required for Street Opening. It shall be unlawful for any person to make any opening through or under the surface of any public City street or right-of-way for any purpose whatsoever without first obtaining a permit from the City. This includes construction of new sidewalks as well as openings in the cartway. (Ord. 2000-17, paragraph 14.1)

14-1.2 Application. An application for the permit shall be made in writing to the Director of Public Works and shall be forwarded to and filed with the City Clerk. The application, accompanied by a plot plan, diagram or drawing, shall set forth the exact location, nature and extent of the opening to be made together with a statement of the purpose or purposes thereof. The drawing shall be drawn to scale. (Ord. 2000-17, paragraph 14.2). The Public Works Director shall respond within 48 hours to the Office of the City Clerk advising of his approval and/or requirements of all applications.

14-1.3 Fees.

- a. The application shall be accompanied by a fee of thirty (\$30.00) dollars.
- b. If the application is for a project costing in excess of fifteen thousand (\$15,000.00) dollars then the application shall include an escrow agreement, a preliminary fee of one thousand (\$1,000.00) dollars to cover costs to review and inspect the project by the City Engineer and a performance bond in the amount of ten (10%) percent of the costs as certified by the City Engineer based on documentation submitted by the applicant. Twenty (20%) percent of the bond shall be in cash. (Ord. 2000-17, paragraph 14.3)
- c. If the application is for a project on a street that was the subject of a reconstruction project within the past five years, the applicant shall, in addition to complying with all requirements of the City Engineer and Public Works Director, post a maintenance bond guaranteeing the work for a period of two years.

14-1.4 Discharge of Bond. When the Public Works Director is satisfied that the street opened has been replaced in the same or as good condition as it was before the opening, on the account of which the bond was given, the Director shall direct the City Clerk to cancel or discharge the bond.

If the Public Works Director finds that the street has not been replaced in the same or as good condition as it was before the opening, the Director shall give notice to the applicant to correct same within thirty (30) days. If the applicant fails to correct same within thirty (30) days, the

cash bond shall be utilized by the Public Works Department to correct the same. In the event of a corporate bond, the City Clerk shall be authorized to take the necessary steps to collect payment from the bonding company. (Ord. 2000-17, paragraph 14.4)

Introduced: April 20, 2011

Adopted: May 16, 2011