

**TOWNSHIP OF MANSFIELD
COUNTY OF BURLINGTON**

ORDINANCE 2011-11

**AN ORDINANCE TO AMEND CHAPTER 18 ENTITLED
STREET EXCAVATION**

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey as follows:

WHEREAS, the Township Committee has determined that it is in the best interests of the Township; and

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED by the Council of the Township of Mansfield, in the County of Burlington and State of New Jersey, as follows:

ARTICLE I	§ 18-13 Construction requirements
Definitions	§ 18-15 Temporary paving
§ 18-1. Definitions and Terms	§ 18-16 Additional regulations
ARTICLE II	ARTICLE V
Regulations for Permits	Deposits and Fees
§ 18-2 Permit required	§ 18-17 Fees
§ 18-3 Adherence to terms of permit	§ 18-18 (Reserved)
§ 18-4 Commencement of work	ARTICLE VI
§ 18-5 Notice Requirements	Liability Insurance
§ 18-6 Work Hours	§ 18-19 Insurance requirements
§ 18-7 Time of Year	ARTICLE VII
§ 18-8 Permits non-transferable	Openings in New Streets
§ 18-9 Expiration of permits	§ 18-20 Notice prior to paving
§ 18-10 State of county highways	§ 18-21 Restrictions upon excavations in new streets
§ 18-11 Revocation of permit	ARTICLE VIII
ARTICLE III	Emergency Openings
Application Procedure	§ 18-22 Emergency repairs
§ 18-2 Duties and responsibilities of authorized applicants	ARTICLE IX
ARTICLE IV	
Regulations for Openings	

Miscellaneous

§ 18-23 Maps of utility

§ 18-14 Final Paving

§ 18-24 Notice to property owners and
tenants

§ 18-25 Violations and penalties

§ 18-26 Streets in subdivision

ARTICLE I
Definitions

§ 18-1. Definitions and Terms.

The following words, when used in this chapter, shall have the meaning ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

APPLICANT – Any person who makes application for a permit.

COAPPLICANT - Person doing the road opening work on behalf of the Applicant and who is jointly and severally responsible and liable along with the Applicant, for compliance with all terms and conditions of the Ordinance and any penalty or claim filed by the Township as a result of any violation of the Ordinance.

EMERGENCY – Any unforeseen circumstances or occurrence, the existence of which constitutes a clear and immediate danger to persons or properties.

IMPROVED ROAD – Any road surfaced with pavement such as asphalt, concrete, bituminous concrete, brick, or similar pavement and any road having concrete base.

PERMITTEE – Any person who has been issued a permit and is obligated to fulfill all the terms of this chapter.

PERSON – Any natural person, partnership, firm, association, utility, corporation or authority created pursuant to statute, who is directly responsible for work being performed under the Utility Opening Permit Application. Whenever used in any section prescribing and imposing a penalty, the term “person” as applied to associations shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

ROAD – The actual road surface area from curblines to curblines, which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the road is that portion between the edges of the paved, or hard surface, width.

STREET – A public street, public easement, public right-of-way, public highway, public alley, public way or public road accepted or maintained by the township and any state or county road over which the township may have acquired jurisdiction by agreement.

TOWNSHIP – The Township of Mansfield in the County of Burlington, State of New Jersey.

TOWNSHIP ENGINEER – The person duly appointed Township Engineer, his/her authorized deputy, representative or inspector.

TOWNSHIP SUPERINTENDENT OF PUBLIC WORKS – The person duly appointed Township Superintendent of Public Works or any person authorized to act as his or her representative.

UNIMPROVED ROAD – Any cinder, dirt, or gravel road without oil treatment and all other roads under the jurisdiction of the Township of Mansfield.

ARTICLE II Regulations for permit

§ 18-2. Permit Required.

It shall be unlawful for any person to cut, break into, excavate or open any street (**improved or unimproved**) of the Township without first securing a permit from the Township Clerk as required herein.

A street opening permit is required when any of the following occur:

1. Excavation, including the digging, displacing, undermining, opening, boring, tunneling, auguring, or in any manner breaking up any street sidewalk, curb, or area within the Township right-of-way.
2. Excavation in/or under the surface of any street, installation of any street improvements, construction, removal or alteration of any improvements which are located within the right-of-way or public access (sidewalk).
3. The placement or deposition within the right-of-way of mulch, stone, brick, block, dense graded aggregate or excavated material which obstructs the intended flow of storm water or public access (sidewalk).

4. Any other action which interferes or disturbs the surface of the streets or improvements within the Township right-of-way.

§ 18-3. Adherence to Terms of Permit.

No person to whom a permit has been granted shall perform any work in any amount or quantity greater than that specified in the permit, except that upon the written approval of the Township Engineer and/ or Township Superintendent of Public Works, additional work may be done under the provisions of the permit in any amount not greater than 10% of the amount specified in the permit. Any deposit submitted in connection with the original permit shall be deemed to cover any such additional work as may be approved pursuant to this section within the limit mentioned herein.

§18-4. Commencement of Work.

Work for which a permit has been issued shall commence with 45 days after the issuance of the permit thereof. If not so commenced, the permit shall be automatically terminated. Permits thus terminated may be renewed upon the payment of an additional permit fee as originally required.

§ 18-5. Notice Requirements.

A minimum of 24 hours written notice to the Township Engineer and Township Superintendent of Public Works shall be given prior to the commencement of work except in cases of emergency as provided in Article VIII.

Five (5) days written notice is required for openings which require traffic detours.

§ 18-6. Work hours

No openings shall be done on weekends, Township holidays, or outside the normal working hours of 7:00 a.m. to 3:30 p.m. without the written permission of the Township Engineer and/or Township Superintendent of Public works unless in case of emergency. Failure to provide notice as required under Section 18-5 may result in revocation of the permit and issuance of a stop work order. If special conditions require work on the weekend, night, or Township holidays, the permittee shall obtain written approval of the Township Engineer and/or Township Superintendent of Public Works for all overtime costs incurred for inspection of work.

§ 18-7. Time of year

With the exception of an emergency, no permits will be issued for road openings between December 15 and March 15th or where conditions exist due to severe weather, freeze, frost, etc. without written permission from the Township Engineer and/or Township Superintendent of Public Works.

§18-8. Permits Non-transferable.

Permits are not transferable from one person to another and the work shall not be made in any place other than the location specifically designated in the permit.

§ 18-9. Expiration of Permits.

Every permit shall expire at the end of the period of time which shall be set out in the permit. If the permittee shall be unable to complete the work within the specified time, he shall, prior to expiration of the permit, present in writing to the Clerk a request for an extension of time, setting forth therein the reasons for the requested extension. If such an extension is necessary, and not contrary to the public interest, the permittee may be granted additional time by the Township Clerk in writing for the completion of the work upon recommendation of such extension by the Township Engineer.

§18-10. State and Count Highways.

The provisions of this chapter shall not be applicable in those instances where the highway is maintained by the State of New Jersey or by the County of Burlington, except in such cases where the township may have special arrangements with the state or county.

§ 18-11 Revocation of Permit.

A. Any permit may be revoked by the Township Committee, after notice to the permittee, for:

- (1) Violation of any condition of the permit or of any provision of this chapter.
- (2) Violation of any provision of any other applicable ordinance or law relating to the work.
- (3) Existence of any condition or the doing of any act constituting or creating a nuisance or endangering the lives or properties of others.

B. Written notice of any such violation or condition shall be served upon the permittee or his agent engaged in the work. The notice shall contain a brief statement of the

grounds relied upon for revoking the permit. Notice may be given either by personal delivery thereof to the permittee or by certified or registered United States mail addressed to the permittee.

- C. A permittee may be granted a period of 48 hours from the date of the notice to correct the violation and to proceed with the diligent prosecution of the work authorized by the permit before said permit is revoked, provided written notification of the violation correction has been submitted to the township by permittee.
- D. When any permit has been revoked and the work authorized by the permit has not been completed, the township shall cause such work to be done as may be necessary to restore the street or part thereof to as good a condition as before the opening was made. All expenses incurred therein by the Township shall be recovered from the deposit the permittee has deposited with the Township.

ARTICLE III **Application Procedure**

§ 18-12. Duties and Responsibilities of Applicants.

It shall be the duty and responsibility of each applicant to:

- A. Make a written application for such permit with the Township Clerk on such forms as the Township shall prescribe. No work shall commence until the Township Engineer and/or Township Superintendent of Public Works has approved the application and plan and the applicant has paid and provided all fees, deposits and certificates required by this chapter. The Clerk shall issue a permit within 14 days after receipt of the Township Engineer and/or Township Superintendent of Public Works approval of the permit application and all required fees, deposits and certificates from the applicant.
- B. Include, in the application, information stating the kind, character and purpose of the proposed excavation or opening and such other information as may be reasonably required to fulfill the requirements of this chapter.
- C. Furnish in triplicate a scaled plan showing the location of the work to be performed under said permit. If approved by the Township Engineer and/or Township Superintendent of Public Works, one copy of such plan shall be returned to the applicant at the time the permit is granted.
- D. Obtain a permit for each and every opening.
- E. Agree to save the Township, its officers, employees and agents harmless from any and all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed under said permit. The acceptance of any permit

under this chapter shall constitute such an agreement by the applicant whether the same is expressed or not.

- F. Pay a permit and engineering review fee and security deposit in accordance with the requirements of Article V herein.
- G. Furnish a certificate of insurance as required by Article VI of this chapter, or, in the case of a public utility or authority, furnish a self-insurer certificate issued by the Security Responsibility Bureau of the Division of Motor Vehicles, Department of Law and Public Safety for the State of New Jersey.
- H. Keep the original copy of the permit and an approved copy of the plan in the possession of the party or parties actually doing the work, and when required, exhibit same to the Township Engineer and/or Township Public Works Superintendent, duly authorized inspectors, or in the instances of county or state highways, to the respective inspectors of these authorities.
- I. Agree to perform the work under said permit in accordance with the regulations established under Article IV herein and such further conditions as may be imposed by the Township Engineer and/or Township Public Works Superintendent.
- J. If it is determined by the Township Engineer and/or Township Superintendent of Public Works that it is necessary, provide a video or photograph of the proposed opening and surrounding areas to protect the Township and adjoining property owners from damages during construction.

ARTICLE IV Regulations for Openings

§ 18-13 Construction Requirements.

The Township Engineer and/or Township Superintendent of Public Works is hereby authorized and directed to promulgate such written instructions as may be necessary for the construction of the street opening. Such instructions shall include but shall not be limited to:

- A. Limitations on the size of an opening.
- B. Restrictions for the protection of existing subsurface installations, monuments and drainage systems.
- C. Requirements for the storage and removal of excavated materials.
- D. Provisions for safety precautions to be taken by the permittee.

- E. Restrictions as to the periods of day when the work may be performed.
- F. Requirements for backfilling, inspection and final paving cross section for openings.
- G. Requirements for utilization of trenchless technology wherever possible on all piping, trenches and hook ups 15 inches in diameter or less.
- H. Requirements that all non-ferrous material contain a wire or detection device to accurately determine the location after installation.
- I. All metallic structures, including manholes, valve boxes, and inlet castings, to be set ¼ inch below finished road grade.

§ 18-14. Final Paving.

- A. Final paving is to comply with the requirements in the New Jersey Department of Transportation (NJDOT) Standard Specifications for Road and Bridge Construction 2001, as amended by the latest addendum of the NJDOT, herein referred to as NJDOT Standard Specifications. A lesser specification may be allowed after review by the Township Engineer and/or Township Superintendent of Public Works.
- B. Surface Restoration:
 - 1. No permittee shall commence restoration on any street foundation or surface until the Township Engineer and/or Township Superintendent of Public Works has determined that settlement of the subsurface is complete and the area properly prepared for restoration.
 - 2. The street surface shall be permanently restored twelve (12) inches beyond the excavation on all sides by milling the surface surrounding the excavation to a depth of two (2) inches to extend the surface course restoration. The permanent restoration shall consist of a minimum of six (6) inches of dense graded aggregate, four (4) inches of bituminous stabilized base course and two (2) inches of FABC-1 surface course applied with appropriate tack coat to the adjacent pavement surface or a pavement cross section consistent to the existing pavement section.
 - 3. At the discretion of the Township Engineer and/or Township Superintendent of Public Works, the surface restoration shall extend the whole width of the travel lane.

4. For road openings down the center of the cartway, surface restoration shall extend across the full width of the paved road (both travel lanes).
5. The permittee is responsible for the full restoration of the roadway surface, including re-striping, installation of raised pavement markings, speed humps and signage.
6. Any concrete sidewalks disturbed, damaged or disrupted during the excavation or trench opening shall be replaced with concrete sidewalk conforming to all applicable standards of the Township of Mansfield.
7. Where concrete curbing and/or gutters are disturbed, damaged or removed, curbing and gutters of the exact configuration as the existing shall be constructed. Concrete shall be Portland cement concrete, air-entrained, conforming to the NJDOT Standard Specifications for Class B concrete and shall have a minimum compressive strength of 4,000 pounds per square inch after twenty-eight (28) days.
8. All top soiled, seeded or otherwise unpaved areas disturbed in the course of the work shall be top soiled with a minimum thickness of not less than four (4) inches of loam-type topsoil. Fertilizer, lime and other soil conditioners needed to promote the proper growth of grass shall be incorporated and thoroughly worked into the topsoil. Seed or sod of species suitable for growth in the location and environment, and conforming to the requirements of the NJDOT Standard Specifications, shall be placed in all unpaved areas.
9. All gravel shoulder areas disturbed during excavation or trench opening shall be restored and graded to provide and maintain the proper flow of drainage and to provide adequate lateral support of the abutting pavement structure. The gravel material shall be soil aggregate, Type I-6, conforming to the requirements of NJDOT Standard Specifications Section 901. The soil aggregate or gravel shall be a minimum thickness of not less than eight (8) inches compacted thickness.
10. All concrete drive aprons disturbed during the course of excavation or trench opening shall be replaced in accordance with all applicable standards for concrete drive aprons, as set for the in Article V, Section 12, Township of Mansfield Unified Development Ordinance, and shall be constructed of Portland cement concrete, air-entrained, Class B concrete, having a twenty-eight (28) day compressive strength of 4,000 pounds per square inch and a minimum concrete thickness of six (6) inches.
11. Unless this requirement is waived at the time of approval, all restoration of roadway joints are to be thermally fused.
12. In the event of the failure to restore the street opening properly within a reasonable time after the opening has been made or to maintain the restored street properly for a period of one year from the date of the aforesaid certificate of proper

restoration, the Township may, upon three (3) days written notice to the person receiving the permit, under-take the restoration or maintenance work and have recourse to deposit for compensation.

§ 18-15. Temporary Paving.

Upon notice to the Township Engineer and/or Township Superintendent of Public Works, and under his inspection, the permittee shall immediately, after completing the work, refill, properly tamp and restore the excavation or opening with a temporary paving cover as follows: 10 inches of compacted gravel (Type 5A) in all areas and two inches of approved bituminous temporary patch material (cold patch) in paved cartways. The temporary paving cover shall be left in place and maintained by the applicant for a minimum of 90 days and a maximum of 120 days, after which the temporary paving cover and required portion of compacted gravel shall be removed and replaced with the final paving required by the Township Engineer and/or Township Superintendent of Public Works. Improvements to the temporary paving that are deemed necessary due to settlement prior to approval for final paving, shall reset the minimum number of days for temporary paving to be maintained by the permittee to 60 days from the date of repair.

§ 18-16. Additional Regulations.

- A. Unless written permission is obtained from the Township Engineer and/or Township Superintendent of Public Works, no permittee shall be allowed permission to cut, break into, excavate or open a street for a greater distance than 300 feet at one time or keep the same open for a period longer than one week. During the entire period the street is being cut, broken into, excavated or opened by the permittee, there shall be provided by the permittee a space at street level of at least 12 feet in width for the purposes of allowing vehicles free and unimpeded use of the same. In no event shall a permit be valid for a period of time in excess of 135 days after its issuance without the written approval of the Township Engineer and/or Township Superintendent of Public Works.
- B. All cuts, breaks, excavations and openings shall conform in size to the application on which the permit is based and shall be performed in neat, even and rectangular sections. All excavations to a depth of six feet or more shall be shored and braced or provided with an acceptable shield to support the walls of the trench for the protection of workmen and to prevent the unintentional widening of the trench unless otherwise permitted by the Township Engineer and/or Township Superintendent of Public Works.

- C. If in the opinion of the Township Engineer and/or Township Superintendent of Public Works, any cut, excavation or opening would be dangerous if left exposed, the permittee shall erect a suitable barrier or railing around the same in such manner as to prevent danger to pedestrians or vehicles and place upon such barrier or railing and upon any building materials and appliances suitable and sufficient warning lights during the period or darkness. In any event, suitable and sufficient warning lights shall be maintained by the permittee during periods of darkness in the vicinity of the cut, excavation or opening. The barriers and lighting shall conform to the Department of Transportation Manual of Uniform Traffic Control Devices and any amendments. In addition to the permittee placing his name and phone number where he can be reached at all times on the barriers, the permittee shall also notify the Township Superintendent of Public Works and local municipal authority of the condition of the unfinished excavation and furnish the above with his name and phone number where he can be reached at all times
- D. All permittees shall keep the area of their work clear of dirt and debris at all times and shall carry away and dispose of all excess dirt, debris and other material resulting from their work.
- E. At the discretion of the Township Superintendent of Public Works, the Road Opening Permit applications and associated inspections may be reviewed and approved by the Township Engineer. In this case the term Township Superintendent of Public Works is interchangeable with the Township Engineer throughout this Ordinance.

ARTICLE V
Deposits and Fees

§ 18-17. Fees

- A. If the application and plan conform to the requirements of this chapter, provide for the work to be performed in accordance with the current New Jersey State Highway Specifications and are approved by the Township Engineer and/or Township Superintendent of Public Works, the Township Clerk shall issue the permit upon receipt of the following:
 - (1) Administration fee: \$50 per application.
 - (2) Engineer review fee: \$200 per application.
 - (3) Performance and maintenance guaranty: as set forth in Subsection B.
 - (4) Inspection fee: as set forth in Subsection C.
- B. Performance and maintenance guaranty. Prior to the issuance of a permit, the applicant shall deposit a performance and maintenance guaranty as follows:

- (1) Amount. The amount of the guarantee required will be determined by the Township Engineer and/or Township Superintendent of Public Works and will be set forth on the latest permit application form at the time of the application submission. The amount shall be computed on the basis of costs required to make proper restorations or repairs, as per the Township Engineer's bond estimate. An annual blanket bond in the amount of \$10,000 may be posted to avoid the inconvenience and expense of obtaining individual bonds for each permit requested.
 - (2) Form. The form of the guaranty shall be subject to the review and approval of the Township Attorney and shall be issued by an institution authorized to transact business in the State of New Jersey.
 - (3) Maintenance. The guaranty shall encompass a maintenance guaranty once the permanent restoration has been completed and accepted by the Township. Upon completion of final and permanent restoration and acceptance by the township, the performance guaranty will be returned subject to a maintenance guaranty of 50% being posted. The maintenance guaranty shall remain in effect for a five year period for a 5 foot deep or more trench, and a two-year period of time for all others. The guaranty shall be released to the permit holder upon satisfactory completion of all restoration and repairs during the two or five-year maintenance. The two or five-year maintenance period shall commence after final inspection of the work performed under the permit and the acceptance of the work by the Township.
 - (4) Utilities. For all utilities under the jurisdiction of the Board of Public Utilities, a blanket corporate bond acceptable to the Township Attorney in the amount of \$25,000 may be deposited with the Township in full force and effect in lieu of a separate bond or escrow for each required permit as surety for the performance and maintenance period. The maintenance period shall be for a period of two or five years and shall commence after the final inspection of the work performed under the permit and the acceptance of the work by the Township.
- C. Inspection Fees. Prior to the issuance of a permit, the applicant shall make a deposit for inspection fees in an amount to be determined by the Township Engineer and/or Township Superintendent of Public Works. The amount shall be calculated at 5% of the total site improvement cost, including excavation and restoration or based on the number of hours spent by the Township Engineer and/or Township Superintendent of Public Works to inspect the work covered under the permit, computed at his/her hourly rate, whichever is greater.

§ 18-18. (Reserved)

ARTICLE VI

Liability Insurance

§ 18-19. Insurance Requirements.

Each applicant, prior to receipt of a permit, shall provide the Township with an acceptable certificate of insurance indicating that he is insured against claims for damages for personal injury as well as claims for property damage which may arise from or out of the performance of the work, whether such performance is by himself, his sub-contractor or anyone directly or indirectly employed by him. Such insurance shall cover collapse, explosive hazards and underground work by equipment on the street and shall include protection against liability arising from completed operations for a period of time to be determined by the Township Committee. The amount of the insurance shall be \$1,000,000 single limit. Public utilities and authorities may be relieved of the obligation of submitting such certificates if they are insured in accordance with the requirements of this chapter.

ARTICLE VII Opening in New Streets

§ 18-20. Notice Prior to Paving.

When the Township shall improve or pave any street, the Township Clerk shall first give notice to all persons owning property abutting on the street about to be paved or improved and to all public utilities and authorities operating in the township, and all such persons, utilities and authorities shall make all connections as well as any repairs thereto which would necessitate excavation of the street within 30 days from the giving of such notice. The time shall be extended if permission is requested in writing and approved by the Township Engineer and/or Township Supervisor of Public Works.

§ 18-21. Restrictions upon Excavations in New Streets

- A. Unless it is determined that an emergency exists involving underground storm or drain water, gas, water, sewer, telephone, cable or electric utilities, no street opening permit will be issued for a period of 60 months after a new pavement has been constructed, or the existing pavement has been resurfaced, on the affected street.
- B. In the event that the newly paved or resurfaced street ~~be~~ is dedicated to the Township, the sixty-month period shall be deemed to begin on the date of acceptance by the township of the affected street.
- C. A waiver on restrictions for street openings unless otherwise stipulated, may only be granted at the approval of the Township Committee.

- D. Existing utility companies failing to act upon the Notice of Moratorium, and thus opening the street will be subject to penalties of \$\$1,000.00 per day, until the utility company acts on the Notice of Moratorium.

ARTICLE VIII
Emergency Openings

§ 18-22. Emergency Repairs Authorized. [Amended 2-7-1989 by Ord. No. 1-1989]

- A. In case of an emergency involving underground storm or drain water, gas water, sewer, telephone, cable or electric utilities, where immediate repair is imperative to prevent loss or damage to streets or property or discontinuance of service, it shall not be necessary to obtain permits before commencing such repair, but (1) Township Superintendent of Public Works must be notified immediately of the occurrence, and (2) such permit(s) shall be obtained within two days thereafter, and this section shall not be held or taken in any case to exempt the applicant from any other provisions of this chapter.
- B. The Township Superintendent of Public Works is hereby designated as the appropriate official to determine whether a bona fide emergency exists or existed to justify the emergent opening of any street covered by this section.

ARTICLE IX
Miscellaneous Provisions

§ 18-23. Maps of Utility Installations; Additional Information.

- A. Every person owning, using, controlling or having an interest in pipes, conduits, ducts or other structures under the surface of any street used for the purpose of supplying or conveying gas, electricity, communication impulses, water or steam to or from the Township or to or from its inhabitants, or for any other purpose, shall file with the Township Engineer within one year after the adoption of this chapter accurate information showing the as-built location, size and description of all such installations.
- B. Within 30 days after the first day of January of each and every year, such person shall file with the Township Engineer additional information showing installations, including all those made or abandoned during the previous year; provided, however, that if no additions have been made to its installation during the previous year, a utility. A utility or authority may file with the Engineer a written statement to that effect within the period of time specified above. A utility or authority may, at its own option, elect to provide additional information throughout the year as it is available rather than proceed as above noted. The Township Engineer may, however, request additional information periodically as may be necessitated by proposed construction or reconstruction of roadways within the township.

§ 18-24. Notices to Property Owners and Tenants.

If the work to be undertaken by the permittee is such that it will effect the use of properties abutting or adjoining the project or subsurface installations, including utilities, in the vicinity of the proposed opening, the permittee shall be required to submit evidence in affidavit form that notices were served on the owners and tenants of such properties and subsurface installations personally or by certified mail, return receipt requested.

§ 18-25. Violations and Penalties. [Amended 12-71985 by Ord. No. 8-1985]

- A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or by imprisonment for a term not exceeding 90 days, or both. Each day that a violation is permitted to exist after notice in writing shall have been served by the Clerk shall constitute a separate offense.

§ 18-26. Streets in Subdivisions and Industrial Parks.

The terms of this chapter shall not apply to a street in any subdivision or industrial park approved by the Township Planning Board Prior to the Township of Mansfield's accepting the said street for maintenance.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Introduced: October 12, 2011