



BOROUGH OF ENGLEWOOD CLIFFS

482 HUDSON TERRACE · ENGLEWOOD CLIFFS, NJ. 07632

Phone (201) 568-0242

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APPLICATION FOR STREET OPENING PERMIT

Applicant: _____

Address: _____ Phone _____

Owner of Property: _____ Phone _____

Street Address _____ of properties abutting and lying adjacent to the portion of the street to be opened.

Purpose of Opening: _____

Depth: _____ ft. Area (L) _____ yd (W) _____ yd (S.Y.) _____ sq. yd

Name, address, and telephone number of party to be reached should an emergency arise:

Excavating and Backfill by: _____

Address: _____ Phone # _____

Temporary Paving by: _____

Address: _____ Phone # _____

Permanent Paving by: _____

Address: _____ Phone # _____

Excavation will start _____ Backfill completed _____

Temporary Pavement will start: [Date] _____

Permanent Pavement completed on [Date] _____

Distance to Curbs - INDICATE NORTH POINT

The applicant agrees to comply with all the rules and regulations of the Borough of Englewood Cliffs as well as all laws, Ordinances and resolutions relating to said work, and the acceptance of the permit shall be deemed an agreement to abide by all its terms and conditions. This permit will be void if not used within Thirty Days.

Applicant: _____

By _____

[Authorized Representative]

[Title]

Remarks _____

Recommended for approval; _____ Permit # _____

Permit Fee: **\$25.00**

Escrow Amount: **\$1,000**

REQUIREMENTS TO OBTAIN STREET OPENING PERMIT

1. **OBTAIN AN APPLICATION FROM THE DPW SUPERINTENDENT'S OFFICE**
2. **ANSWER ALL QUESTIONS AND INCLUDE THE DATE OF EXCAVATION.**
3. **A \$1,000.00 CASH DEPOSIT OR INSURANCE BOND IS REQUIRED.**
4. **APPLICANT MUST FILL OUT A W-9 FORM.**
5. **THE \$1,000.00 IS GIVEN TO THE MUNICIPAL CLERK. THE BOND IS HELD FOR 2 YEARS AND RETURNED UPON INSPECTION OF THE STREET BY THE SUPERINTENDENT OF PUBLIC WORKS.**
6. **A FEE OF \$25.00 IS REQUIRED.**
7. **SEPARATE CHECKS ARE TO BE WRITTEN FOR THE BOND AND PERMIT FEE, MADE PAYABLE TO "THE BOROUGH OF ENGLEWOOD CLIFFS".**
8. **THESE REQUIREMENTS ARE LISTED IN THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS, CHAPTER 13-1.**
9. **TRENCH MUST BE BACKFILLED WITH DGA OR AN APPROVED EQUAL. PAVEMENT RESTORATION MUST BE DONE AS SOON AS POSSIBLE, PREFERABLY THE SAME DAY.**
10. **SEWER CONNECTION MUST BE INSPECTED BEFORE THE ROAD IS CLOSED.**
11. **PAVEMENT RESTORATION: 4 INCHES OF STABILIZED BASE OF FABC. TOP COURSE IS 2 INCHES OF 1-5.**
12. **ALL TRENCHES MUST BE SAW CUT.**
13. **TRENCH MUST BE MAINTAINED FOR TWO (2) YEARS AND THE CASH DEPOSIT OR INSURANCE BOND WILL BE RETURNED IN TWO YEARS.**

IF THE ROAD OPENING NECESSITATES CLOSING THE ENTIRE ROAD, THE POLICE DEPARTMENT MUST BE NOTIFIED ONE WEEK IN ADVANCE.

CHAPTER XIII STREETS, SIDEWALKS AND SANITATION

13-1 STREET OPENINGS.

13-1.1 Definitions.

As used in this chapter.

- a. "Street" shall mean any dedicated public thoroughfare, road, avenue or highway, whether accepted or unaccepted, including the sidewalk area.
- b. "Roadway" shall mean that portion of the street lying between the curb lines.
- c. "Superintendent of public works" or "superintendent" means the superintendent of public works appointed by the mayor and council, or such person as shall succeed to his office, powers and duties and is hereby designated the enforcement officer to enforce the provisions of this section.

13-1.2 General Conditions.

- a. No permit authorized by this section shall be granted except upon application in writing therefore signed by the person desiring such permit or his agent, which application shall set forth such facts as are hereinafter required by the provisions of this chapter.
- b. In case any permit shall be refused by any officer authorized to issue the same, an appeal of such officers' determination may be taken to the mayor and council and the mayor and council, after hearing the applicant and such officer and such other evidence as may be produced, may either direct the issuance of such permit or sustain the refusal of the officer.
- c. No permit shall be issued until the fee therefore shall have been paid to the officer authorized to issue such permits. The permit fee for all work started prior to the issuance of a permit covering same shall be twice the regular fee as herein required.

13-1.3 Regulations Concerning.

- a. Street opening. No person shall make any street opening in or tear up or disturb the surface of the roadway of any street, park or public place without a written permit therefore, provided however, that any public utility corporation having pipes, conduits or rails in any public street or place shall not be required to obtain any other permit than that provided for in paragraph "k" of this subsection.
- b. All permits required by this section shall be issued by the borough clerk with a copy to the superintendent of public works. Permittee is to secure street openings dates and specifications from the superintendent of public works. A cash deposit in an amount sufficient to defray the costs of replacing the pavement excavated in case the applicant fails to replace such pavement in a manner acceptable to the superintendent of public works prior to the issuance of the permit. This deposit shall be then tendered to the borough clerk prior to the issuance of any permit and in no event shall the amount of the cash or bond deposit be less than one thousand (\$1,000.00), dollars, which bond shall be in a form satisfactory to the borough attorney. Upon issuance of such a permit the borough clerk shall forward a copy to the superintendent of public works and chief of police.
- c. The following permit fees are established and shall be paid to the borough clerk before the permits are issued.

1. For opening any road paved with Portland cement concrete, bituminous concrete, bituminous penetration macadam, water bound macadam with or without bituminous dressing or asphalt surface treated pavement, five (\$5.00) dollars per square yard or fraction thereof; minimum fee twenty-five (\$25.00) dollars.

2. For opening any unimproved road; two (\$2.00) dollars per square yard or fraction thereof; minimum fee five (\$5.00) dollars.

d. In making the excavation the permittee shall preserve the roadway from needless destruction and shall cause the excavation, installation or repair of utility and backfilling to be one continuous operation. The person to whom such permit is issued shall guard the excavation or excavations by suitable barricades and warning signs by day and suitable barricades and lights by night, and which shall be electrical or mechanical and not inflammable, until the excavation is safely closed. It is the responsibility of the permittee to maintain such road openings in a safe condition for traffic until such time as he replaces the pavement and said pavement replacement shall have been approved by the superintendent.

e. The permit for any such excavation as aforesaid shall specify the date the excavation is to be made and the maximum time allowed for the completion of the excavation and the backfilling thereof. The backfilling shall be completed within the time, stated in such permit and shall be done in accordance with applicable borough specifications. All refuse and material shall be removed within 48 hours.

f. Temporary restoration of pavement is to be made immediately after the superintendent of public works or the borough engineer has approved the backfilling.

g. Where an excavation is to extend to the full width of the road, only one half of the excavation shall be made at one time. This portion shall be properly backfilled and inspected as herein provided before the other half is excavated.

h. All trenches shall be backfilled with stone dust, bank run sand or gravel or pervious material free from foreign matter such as debris, stumps, roots or sod. The backfilling shall be performed in layers of not more than two feet in depth, each layer to be thoroughly tamped prior to the backfilling of the next layer.

i. Permanent restoration of pavement shall be made within a reasonable time and no more than within four months, weather permitting, from the date the temporary pavement was installed and such permanent restoration shall as nearly as possible duplicate the original pavement in type, material, color and texture of the surface or in accordance with borough specifications. The superintendent of public works shall be notified three days prior to permanent restoration for quality control and adherence to this section.

j. No opening permits will be issued between December 1 and March 1, unless an emergency exists.

k. No excavation, repair or utility installation shall be commenced or installed in or on any public street in the Borough of Englewood Cliffs without first obtaining a road construction or road opening permit therefor from the borough clerk. Every application for such permit shall be accompanied by duplicate plans and profiles of the proposed work except where the borough engineer determines, in his discretion, that plans are not necessary, or in the event of emergency. The said application shall give the location of the proposed work, a detailed description of the type of repair, the extent of the work and the method of repair, a certified survey of the location thereof, the location of any and all utilities, storm drains, sanitary sewer or sewer mains, within close proximity to the proposed opening, and the estimated cost of such work. The applicant shall pay, at the time of filing the application, for inspection fees, the sum of thirty (\$0.30) cents per lineal foot of street to be opened and fifteen (\$0.15) cents for each lineal

foot of utility line (including, but not limited to, electric or gas, water or telephone) to be installed. In no event shall the inspection fees be less than one hundred (\$100.00) dollars. In addition, the borough engineer shall determine the amount of a cash bond. In sum sufficient to guarantee the repair of the street, which bond shall be posted, for a minimum of two years, as a condition to any road opening permit. The minimum cash bond shall be one thousand (\$1,000.00) dollars. Such bond shall be renewed each calendar year, where necessary, in the discretion of the borough engineer.

Notwithstanding the foregoing, in the event of an emergency, a utility company may undertake emergency repairs without pre-compliance with the foregoing. However, prior to even emergency repairs, the company shall notify the Englewood Cliffs Police Department in order to report the location of the emergency and the nature of the problem. Thereafter, the company shall file a complete report with the borough in accordance with the provisions of this paragraph.

No road construction permit shall be issued until and unless the borough engineer approves said application, plans, and profile and said deposit is made. The borough engineer shall approve or reject said application within ten days after the application has been filed and, in case of rejection, shall state in writing the grounds on which his rejection is based. In the event that applicant is dissatisfied with the rejection of the borough engineer, he shall, within ten days thereafter, file in writing with the borough clerk his ground of appeal from the rejection of the borough engineer. The mayor and council shall hear said appeal at the next regular meeting of the mayor occurring not less than ten days from the filing of the appeal, at which hearing the mayor and council shall have the right to confirm, reverse or modify the decision of the borough engineer.

The following specifications shall apply for all road opening restorations of borough public streets:

1. Pavement.

(a) Base: Bituminous Stabilized Base Course shall be laid and compacted over previously compacted fill. The total compacted thickness of bituminous stabilized base course shall be not less than three inches constructed in a single lift. The surface elevation shall be the elevation of the adjacent existing pavement. Where settlement of the bituminous stabilized base course has occurred, the contractor shall construct a leveling course of either bituminous stabilized base material or FABC. This base shall serve as a temporary pavement until the surface course is applied.

During winter months, if bituminous base material of FABC is not available, cold mix Bituminous Concrete may be substituted with the provision this material is removed and replaced with bituminous base material and Bituminous Concrete Surface (NJDOT) Mix 1-5 when these materials become available.

(b) Surface course: Two inches of NJDOT Mix 1-5 Bituminous Concrete Surface Course.

2. Excavation. The existing pavement must be cut with a compressor or an approved mechanical cutting device, in a straight line, and to its full depth of pavement before excavation of trench. The existing pavement shall be saw cut in a straight line prior to the installation of final pavement.

3. Backfill. When the material from the excavation is unstable for backfilling, the contractor shall furnish, place, and mechanically tamp bank run gravel, or bank run sand, or quarry processed stone, as backfill. At least six inches of quarry processed stone must be provided directly below the stabilized base course.

Bank run sand may be used as base fill only to within six inches of the transmission pipe.

4. Temporary pavement.

(a) Upon completion of the backfilling of the trench, the exposed edges of the existing pavement shall be cut back to straight even lines parallel to the center line of the trench. The exposed face of the existing pavement shall be clean and free of dirt or other substances which would prevent proper bonding with the new pavement.

(b) The subgrade shall be formed to the required line, grade and cross-section, and properly rolled with a ten ton roller or approved equal. Any unsuitable material shall be removed and replaced with suitable material.

5. Permanent pavement. Permanent pavement shall be placed as specified by the Englewood Cliffs Department of Public Works or borough engineer. When so stated on the Road Opening Permit, the permanent pavement of Bituminous Surface Course NJDOT Mix 1-5 shall be applied with an approved self-propelled paving machine from two feet beyond the outside edge of the trench to the curb line but no less than eight feet wide.

13-1.4 Maintenance for One Year.

The person receiving the permit shall be responsible for the proper maintenance of that portion of the street over which the permit has been issued, including continued backfilling, to compensate for a period of one year from the date of the certification of the proper restoration of the street by the superintendent of the department of public works and further shall assume all liability for damages resulting therefrom or in any way connected therewith.

13-1.5 Failure to Restore or Maintain.

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 department of public works may upon three days' notice to the person receiving the permit, undertake the restoration or maintenance work and have recourse to the deposit for compensation.

13-1.6 Return of Deposit.

The deposit shall be returned to the person receiving the permit one year after the date of the certificate of the proper restoration.

13-1.7 Conflicting Provisions.

In the event any provision of this ordinance shall conflict with the provision of any statute, State or Federal, or with any rule or regulation of the Public Utility Commission or Federal Power Commission, such provision to the extent of such conflict shall not apply.

