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Ryan P. Ullman

**BOROUGH OF MAYWOOD**  
**15 Park Avenue, Maywood, NJ 07607**

**ORDINANCE #15-22**

**“AN ORDINANCE AMENDING THE BOROUGH OF MAYWOOD MUNICIPAL CODE  
SO AS TO REVISE ORDINANCE 287-7 SUBSECTION A GOVERNING THE FEES  
AND DEPOSITS OF PERFORMANCE GUARANTIES OF THE OPENING AND  
EXCAVATIONS OF ROADS WITHIN THE BOROUGH”**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

**WHEREAS**, the Mayor and Council of the Borough of Maywood wish to revise Borough of Maywood Ordinance §287-7 A entitled Openings and Excavations – Permit Required so as to require the Borough Engineer to review, set fees and calculate the appropriate escrows/performance guaranties for any road opening exceeding six (6) square feet.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey, as follows:

**Section 1:** Subsection §287-7 A is repealed in its entirety and replaced with the following language. As such, Chapter §287-7 A shall read as:

- A. No person, corporation, or utility shall make any excavation in or tear up or disturb the surface of the roadway of any street or public place without first applying for and receiving a written permit in conformance with this code. Prior to the issuance of a permit, applications for any opening exceeding six (6) square shall be filed with the Borough Clerk and shall be submitted to the Borough Engineer for review for a permit. The Borough Engineer shall review the project and set the amounts for the requisite fees, deposits and amounts of the performance guaranty for the project(s). Every separate opening exceeding six (6) square feet shall be deemed a separate project.

**Section 2:** All other sub chapters of Chapter §287-7 (B through H) shall remain in full force and effect not be affected by this ordinance.

**Section 3:** All ordinances of the Borough of Maywood which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 4:** If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**Section 5:** This ordinance shall take effect upon passage and publication according to law.

Date: August 23, 2022

APPROVED: \_\_\_\_\_  
Richard Bolan, Mayor

ATTEST: \_\_\_\_\_  
Barbara L. Dispoto, RMC/CMC  
Borough Clerk

**Introduction-1<sup>st</sup> Reading**

**Date: July 26, 2022**

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilwoman Cicarelli			X				
Councilman Conoscenti			X				
Councilwoman Flynn		X	X				
Councilman Roer			X				
Councilman Ullman						X	
Council President DeMuro	X		X				

**Adoption-2<sup>nd</sup>/Final Reading**

**Date: August 23, 2022**

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilwoman Cicarelli			X				
Councilman Conoscenti			X				
Councilwoman Flynn		X	X				
Councilman Roer			X				
Councilman Ullman						X	
Council President DeMuro	X		X				

**CERTIFICATION**

I, Barbara L. Dispoto, Municipal Clerk of the Borough of Maywood in the County of Bergen and the State of New Jersey do hereby certify that the foregoing ordinance is a true copy of the original ordinance duly passed and adopted on second reading by the Governing Body at the meeting of August 23, 2022.

Date: \_\_\_\_\_

\_\_\_\_\_  
Barbara L. Dispoto, RMC/CMC  
Borough Clerk