

TOWNSHIP OF EVESHAM  
ORDINANCE NO. 6-4-2018

AN ORDINANCE OF THE TOWNSHIP OF EVESHAM  
AMENDING CHAPTER 133 OF THE CODE OF THE  
TOWNSHIP OF EVESHAM, ENTITLED  
"STREETS, SIDEWALKS AND PARKING LOTS"

BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey, that the Code of the Township of Evesham shall be amended as follows:

**SECTION ONE:**

Chapter 133, Article III. Street Excavations of the Code of the Township of Evesham entitled "Streets, Sidewalks and Parking Lots" is hereby amended as follows:

**§133-15. Fees and Deposits**

D. In addition to the above deposit, the applicant shall pay a nonreturnable fee in the amount of \$125.00 for the first 20 square feet or part thereof of any opening and \$25 for each additional 10 square feet or part thereof, up to 50 square feet. In the case of openings which exceed 50 square feet but are less than 500 square feet, he shall pay, in addition, 25% of the amounts determined in accordance with Subsections B and C above. In the case of exceptional or complicated openings or where the area to be opened exceeds 500 square feet, the applicant shall deposit in cash a certain sum to be placed in escrow by the Township to cover the cost of inspections by professionals employed by the Township. The amount of the initial deposit shall be in an amount reasonably calculated to equal the cost of the necessary inspections. Sums not utilized in the inspection process shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow.

The applicant must also execute an agreement to underwrite necessary engineering costs incurred by the Township if the repair to the street is unsatisfactory and repair by the Township is necessary.

**§133-17. Bond for public utilities; special charges.**

A. When the applicant is a public utility as defined by the statutes of the State of New Jersey, the Township may accept, in lieu of the required deposits and fees previously set forth herein, a guaranty bond to the Township in the sum of \$20,000 plus a permit fee of \$125.00 per work location. For the purpose of this section, "work location" is defined as any opening or series of openings in the same street. Each eight-hundred-foot portion of the street shall constitute a separate work location.

**SECTION TWO: 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 Council 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.

## **NOTICE**

Please take notice that the ordinance published herewith was introduced and passed on first reading at the Regular Meeting of the Township Council of the Township of Evesham in the County of Burlington, State of New Jersey, held on March 6, 2018, and said ordinance will be further considered for final passage after public hearing at a meeting of said Township Council to be held on April 10, 2018, at 6:30 P.M. in the Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey, at which time and place all persons interested will be given an opportunity to be heard concerning such ordinance.

Mary Lou Bergh, RMC  
Township Clerk