

Mayor Nolan offered the following Ordinance pass third and final reading and moved on its adoption and publication according to law:

ORDINANCE NO. O-11-17
AN ORDINANCE AMENDING CHAPTER 8-2.3 “EXCAVATIONS IN THE PUBLIC STREETS” “DENIAL OF PERMIT; APPEAL” OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF HIGHLANDS

Section 8.23 shall be designated 8.23(A)

THE FOLLOWING SECTION WILL BE ADDED AS 8-2.3 (B)

B. *Additional Requirements for Excavations on Paved Streets Less than Seven (7) Years Old.*

1. No permit shall be issued by the director which would allow an excavation or opening of a paved or improved street surface less than seven (7) years old unless the applicant can clearly demonstrate that public health or safety requires that the proposed work be permitted or unless an emergency condition exists.
2. If by special permission of the director a permit is issued to open any paved or improved street surface less than seven (7) years old, an additional fee shall be charged for the opening, except that the additional fee shall be waived in the event the work is of an emergency nature. The additional fee shall be equal to the sum of \$1,000.00 dollars plus total cost of repair as set forth by the Borough Engineer.
3. Appeals from this section may be had in the same manner as those set forth in Section 8-2.3 (A) above.

Seconded by Mr. O’Neil and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Connelly, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: None

ABSTAIN: None

DATE: September 21, 2011

Carolyn Cummins, Borough Clerk

Introduction: August 17, 2011

Publication: August 26, 2011, Two River Times

P.H./Adoption: September 21, 2011

Publication: September 30, 2011, Two River Times

I hereby certify this to be a true copy of Ordinance O-11-17 as adopted by the Governing Body of the Borough of Highlands on September 21, 2011.

BOROUGH CLERK/DEPUTY CLERK