

**BOROUGH OF EMERSON  
COUNTY OF BERGEN  
NOTICE OF ADOPTION**

**ORDINANCE 1510-15**

**Introduced: October 6, 2015**

**Adopted: October 20, 2015**

**NOTICE IS HEREBY GIVEN** that Ordinance 1510-15 was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 20th day of October, 2015. A copy of Ordinance 1510-15 is on file in the Borough Clerk's Office in the Municipal Building, 1 Municipal Pl., Emerson, NJ 07630.

**AN ORDINANCE AMENDING CHAPTER 248 "STREETS AND SIDEWALKS"  
OF THE CODE OF THE BOROUGH OF EMERSON TO REQUIRE FULL WIDTH PAVING  
WHEN RECENTLY PAVED ROADS ARE EXCAVATED**

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

Section 13. (Paragraph J of §248-13 Rules & Regulations) "Permit; restricting on excavating recently sealed roads" of Chapter 248 "Streets and Sidewalks" of the Code of the Borough of Emerson is hereby amended to read as follows:

1. Non-opening of road. No street, road or paved area constructed, reconstructed or repaved within *five* years of the time that the road is sealed can be excavated, built or patched except in the case of emergency, which includes but is not limited to gas leaks. *In the event that, due to an emergency, a street, road or paved area is excavated within the five year period, the applicant shall be required to repave the entire width of the road to achieve a cosmetic and surface match.*
2. If a residential improvement requires that a road be opened within the five year period after the completion of paving, then the resident will be required to repave the entire width of the road from a point that is five (5) feet from each edge of the opening. The Superintendent of Public Works or his/her designee, or the Borough Engineer must inspect the newly paved area and sign off that the work was performed in a satisfactory manner prior to the release of escrow funds for this project.

Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Emerson declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED: \_\_\_\_\_  
Louis J. Lamatina, Mayor

ATTEST: \_\_\_\_\_  
Jane Dietsche, RMC, Borough Clerk