

ORDINANCE NO. 2026-7

AN ORDINANCE AMENDING CHAPTER 468, ENTITLED STREETS AND SIDEWALKS

BE IT ORDAINED by the Mayor and Council of the Borough of Wood-Ridge, County of Bergen, New Jersey, that Chapter 468, entitled Streets and Sidewalks, is hereby amended as follows:

SECTION 1. Part D of Subchapter §468-3 is amended by changing the moratorium period from five years to ten years.

SECTION 2. Subchapter §468-8 is renamed as "Specifications for openings and restoration".

SECTION 3. Part A of Subchapter §468-8 is amended as follows:

- a. Existing provisions currently numbered one to seven (1-7) shall be renumbered as four to ten (4-10).
- b. Establish new provisions numbered one to three (1-3) as follows:
 - (1) All openings shall be performed in a manner as specified in this article or as specified by the Engineer that both minimizes damage to, and facilitates restoration of, the street including its surface. Street restoration shall be performed according to specifications, methods, limits, and quantities as specified in this article or as specified by the Engineer, which may include, but is not limited to, full-depth reconstruction, full-width or half-width milling and paving, and/or infrared patch repair.
 - (2) The Engineer is authorized to determine and mandate any and all specifications, methods, limits, and quantities related to the engineering and construction of street openings and restorations based on the particular circumstances and conditions of the opening and/or restoration. Said authorization shall include the authority to modify any requirement of this article for a particular opening and/or restoration as the Engineer shall judge to be proper and necessary to protect the Borough and its infrastructure and citizens. In such instances, the Engineer shall consult with the Borough Administrator and the Borough Attorney who shall determine if it is necessary for the Mayor and Council to adopt a Resolution memorializing any modification pursuant to Subchapter §468-11.
 - (3) All costs associated with opening and restoration of streets or rights-of-way shall be the responsibility of the owner as determined and directed by the Engineer.

SECTION 4. Part B of Subchapter §468-8 is replaced in its entirety as follows:

B. Asphalt pavement openings.

- (1) When an opening is in asphalt pavement, backfill material shall be deposited in six-inch layers and thoroughly compacted to a level eight inches below the surface level of the adjacent paved surfaces. The opening shall be cut back six inches beyond the perimeter of the opening. The base course shall be bituminous stabilized base stone mix, Mix No. 1, six inches thick (two lifts). The surface course shall be two inches' compacted depth of FABC-1 Mix No. 5. All joints between the new and existing pavements shall be sealed with a tack coat. All asphalt surface patches shall utilize infrared asphalt restoration as specified by the Engineer, except when milling and paving is mandated by this article or the Engineer.
- (2) When an opening is a major opening, the street segment containing the major opening shall be milled and paved for its full-width from curb to curb for the full length of the street segment, unless a lesser limit is agreed to by the Borough.
- (3) When an opening is located within fifty feet of another opening on the same street segment, inclusive of both intersections on each end of the segment, the surface area of the combined openings shall be milled and paved to form one surface.
- (4) When an opening is located on a street segment containing four or more openings on the same street segment, inclusive of both intersections on each end of the segment, or is located on a street segment containing one or more openings per 100 feet of road length on the same street segment, the surface area of the combined openings shall be milled and paved to form one surface.
- (5) When milling and paving is required on a street segment, the limits of the milling and paving shall be full-width from curb to curb for the full length of the street segment, except as provided in Provision # 6 below, or unless a lesser limit is agreed to by the Borough.
- (6) When milling and paving is required on a street segment, the limits of the milling and paving shall be half-width from curb to center line for the full length of the street segment if, and only if, the street segment has a width in excess of thirty feet and all openings are located on the same side of the street's center line.
- (7) When milling and paving is required on a street segment, the limits of the milling and paving shall include any intersection adjacent to the street segment being milled and paved if the intersection contains an opening or is located between two or more street segments being milled and paved.
- (8) When milling and paving is required in an intersection, the limits of the milling and paving shall include the full-width entirety of the intersection regardless of the paving limits (full-width or half-width) of the adjacent street segments.

- (9) When an opening is made in an asphalt street containing concrete pavement under its surface, the sub-surface concrete pavement shall be restored according to the specifications and requirements of this article and/or the Engineer so as to prevent settlement of the asphalt pavement surface. Any sub-surface concrete pavement restoration shall be in addition to any asphalt pavement surface restoration required by this article and/or the Engineer.

SECTION 5. Parts “B” and “C” of Subchapter §468-11 are replaced in their entirety as follows:

- B. Any determination or order of a Borough official related to the provisions of this article including those concerning specifications, methods, limits, and quantities for the engineering and construction of street openings and restorations, and/or those concerning fees, insurance, surety, security or escrow may be appealed to the Mayor and Council by submitting a written request to the Borough Clerk. Additionally, any applicant may request a modification of any provision(s) of this article by submitting a written request to the Mayor and Council through the Borough Clerk, which shall be reviewed by the Borough Administrator, Borough Engineer, Borough Attorney, and/or Borough Risk Manager, as appropriate.
- C. Upon a written request being submitted to the Borough Clerk, the Mayor and Council may consider and may grant via resolution a modification to any provision(s) of this article based upon the unique or special circumstances of the particular application.

SECTION 6. Establish a new Article IV entitled “Protection of Streets, Curbs and Sidewalks” and related subchapters within Chapter 468 as follows:

Article IV. Protection of Streets, Curbs and Sidewalks

§ 468-26. Purpose.

The purpose of this article is to establish responsibilities and standards for the general public, as well as residents and owners of private property in the Borough, to protect the condition of public streets, curbs, and sidewalks in the Borough for the benefit, accessibility, and safety of residents and the public traveling or visiting within the Borough.

§ 468-27. Responsibilities and standards.

- A. Residents and owners of private property within the Borough shall be responsible for protecting the condition of public streets, curbs, and sidewalks adjacent to, or in proximity to, their property at all times, but especially at times when construction is being performed on, or deliveries are being made to, their property.

- B. Residents and owners of private property within the Borough shall be responsible for their own actions and inactions and for those of any and all persons and entities occupying, visiting, performing work on, or participating in activities on their property that cause damage to public streets, curbs, and sidewalks.
- C. All persons and entities performing work, conducting business, traveling, or visiting within the Borough of Wood-Ridge shall be responsible for their own actions and inactions that cause damage to public streets, curbs, and sidewalks.
- D. Damage shall mean any and all conditions in streets, curbs, and/or sidewalks that would cause them to not meet the acceptable standards of proper use, good repair, and public access and safety as established by the New Jersey Department of Transportation and/or the New Jersey Department of Community Affairs. Damage shall include, but not be limited to, breaking, cracking, gouging, scuffing, indenting, discoloring, staining, distorting, deforming, melting, peeling, or any other condition that detracts from the structural integrity, proper maintenance, efficient and safe use, normal lifespan, and/or aesthetic appearance of a street, curb, or sidewalk.

§ 468-28. Prohibitions.

- A. No vehicle, equipment, trailer, tool, or appliance, may be driven, operated, delivered, loaded, or unloaded in a manner or in a location that causes, or could cause, damage to public streets, curbs, or sidewalks.
- B. No product, object, or bulk material, including but not limited to cement, mortar, asphalt, gravel, soil, oil, gasoline, or similar substances shall be handled, loaded, unloaded, mixed, or prepared on a public street, curb, or sidewalk unless a protective cover or a mixing board or box for such purpose is properly utilized.
- C. No dumpster, container, storage unit, vehicle, trailer, equipment, tool, appliance, or any other object may leak, expel, or in any way discharge any substance, whether solid, liquid, or gas, that causes, or could cause, damage to a public street, curb, or sidewalk.
- D. It shall be the duty of all persons to utilize, and of all responsible persons to cause to be utilized, proper care, preventative measures, and protective materials at all times to protect public streets, curbs, and sidewalks from damage that may be caused by tasks, objects, or circumstances as depicted in this article.

§ 468-29. Violations, penalties and enforcement.

- A. Any person(s) who violates any of the provisions of this article shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

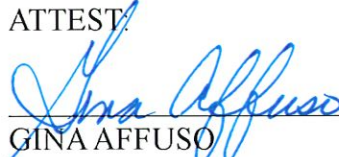
- B. Any person responsible for damage to public streets, curbs, and sidewalks shall be subject to violation, penalty, legal liability, and financial restitution, as provided by the Code of the Borough of Wood-Ridge and the laws of the State of New Jersey.
- C. Residents and owners of private property within the Borough shall be subject to violation, penalty, legal liability, and financial restitution, as provided by the Code of the Borough of Wood-Ridge and the laws of the State of New Jersey, for their own actions and inactions and for those of any and all persons and entities occupying, visiting, performing work on, or participating in activities on their property that causes damage to public streets, curbs, and sidewalks.
- D. Utilizing preventative measures or protective materials in an effort to prevent damage to public streets, curbs, and sidewalks shall not absolve any person, including residents and owners of private property within the Borough, from responsibility for actual damage to streets, curbs, and/or sidewalks.
- E. It shall be the duty of the Borough of Wood-Ridge Engineer, Public Works Department, Police Department, Building Department, and Property Maintenance Office to enforce the provisions of this article.

SECTION 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. If any part, sections, provisions, or the total of any of the abovementioned publications are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Borough of Wood-Ridge.

SECTION 9. This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:


GINA AFFUSO
Borough Clerk

APPROVED:


PAUL A. SARLO
Mayor

Introduced:	6-17-26
Published:	6-18-26
Adopted:	7-15-26
Published:	7-16-26