



**BOROUGH OF ROSELLE PARK
UNION COUNTY, NEW JERSEY**

STREET OPENING PERMIT APPLICATION PACKAGE

INCLUDES

**BLANK APPLICATION FORM
MUNICIPAL COMPLIANCE CONTROL FORMS
COPY OF APPLICABLE BOROUGH CODE EXCERPT**

**Revised via Ordinance No. 2586
Effective September 12, 2019**



THE BOROUGH OF ROSELLE PARK

N E W J E R S E Y

110 EAST WESTFIELD AVENUE, ROSELLE PARK, NJ 07204

WWW.ROSELLEPARK.NET

STREET OPENING PERMIT APPLICATION

A. APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

Point of Contact: _____

Telephone Number: _____ E-Mail: _____

B. WORKMEN / CONSTRUCTION CONTRACTOR INFORMATION

Name: _____

Mailing Address: _____

Telephone Number: _____

Emergency Contact Number: _____

C. TYPE OF WORK

Provide a brief description of the character of work to be conducted under the permit (i.e.: mainline upgrades, service line updates, etc...). *If you are applying for an "Emergency" Permit pursuant to Subsection 23-1.8 of Borough Code, please indicate the same:*

D. LOCATION OF OPENING

Provide the street name and number of nearest adjacent property, if any (if such information does not exist, or is impractical, please provide a description of the location):

E. SIZE OF OPENING

The size of the street opening is calculated in square feet (ft²) calculated by multiplying the length of the opening by the width of the opening:

_____ ft. long x _____ ft. wide = _____ ft²

F. DURATION OF WORK

Estimated Start Date: _____

Estimated Completion Date: _____

Estimated Total Duration: _____ days

G. RESTORATION REQUIREMENTS

Applicants, by affixing their signature to the foregoing application form, agree to replace, at their own cost and expense, in accordance with Borough of Roselle Park specifications and details, the opened street area to, *at a minimum*, the same state and condition immediately prior to the time of work commencement. Applicants further agree to comply with all other applicable Ordinances, regulations and laws of the Borough of Roselle Park relative to the work including, but not limited to Subsection 23-1.4 of Borough Code.

H. INDEMNIFICATION OF MUNICIPALITY

Applicants, by affixing their signature to the foregoing application form, agree to indemnify and save harmless the Borough of Roselle Park from any and all liability, expense, claim for damages for personal injury and property damage resulting from the use of public lands attributed to the issuance of any Street Opening Permit.

I. UNDERGROUND UTILITY LOCATION

Provide the registration number from the underground utility location service “New Jersey One Call” (1-800-272-1000) indicating that they have been properly notified and will locate underground facilities in the area of the proposed opening or tunneling operation:

Registration Number: _____

J. SANITARY SEWER CONNECTIONS

Does the scope of work include a sanitary sewer connection to a Borough-owned sanitary sewerage system? (Check One)

YES NO

If YES; this application should include inverts elevations at the proposed connection and exiting the structure.

K. APPLICANT CERTIFICATION

I, _____, the applicant and/or the duly authorized responsible party to for applicant, certify and affirm that I have reviewed and understand the provisions of Section 23-1 of the Code of the Borough of Roselle Park and, by affixing my signature to this form, do hereby agree to comply and bind myself to its provisions.

Signature

Date

Print Name

***** USE BY BOROUGH CLERK'S OFFICE ONLY *****

APPLICATION CHECKLIST

___ Completed application received forty-eight (48) hours prior to work commencement; or, completed application received as "Unreported;" or, completed application received as a bona fide "Emergency."

___ Fees received with application (see schedule below).

___ Cash Bond received with application.

FEE SCHEDULE		
Application Fee(s)	Normal	\$40.00
	Unreported	\$120.00
	Emergency	\$0.00
Permit Fee(s)	Less Than or Equal to 25 sq. ft.	\$100.00
	Greater Than 25 and Less than 50 sq. ft.	\$150.00
	Over 50 sq. ft.	\$3.00 per sq. ft.
Inspection Fee	All Openings	\$75.00
Cash Bond	Opening Less Than or Equal to 50 sq. ft.	\$500.00
	Opening Greater Than 50 sq. ft.	\$1,000.00

All above requirements being met, the forgoing application is deemed administratively complete and referred to the Superintendent of Public Works for review and consideration for approval:

Signature

Date

Print Name

***** USE BY SUPERINTENDENT OF PUBLIC WORKS ONLY *****

TO: APPLICANT

FROM: ROSELLE PARK SUPERINTENDENT OF PUBLIC WORKS

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 23-1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, AND UPON MY REVIEW OF YOUR APPLICATION FOR A STREET OPENING PERMIT FOR USE WITHIN THE BOROUGH OF ROSELLE PARK, I HEREBY:

___ ***APPROVE*** your application contingent upon curb-to-curb roadway replacement within the project limits pursuant to paragraph “a” of Subsection 23-1.4.

OR

___ ***APPROVE*** your application contingent upon half roadway replacement within the project limits pursuant to paragraph “b” of Subsection 23-1.4.

OR

___ ***APPROVE*** your application contingent upon patch and/or longitudinal trench restoration within the project limits pursuant to paragraph “b(i)” of Subsection 23-1.4.

OR

___ ***DENY*** your application based upon the following findings:

IN THE CASE OF AN APPROVAL – YOU ARE HIGHLY ENCOURAGED TO RE-READ THE PROVISIONS OF THE CODE OF THE BOROUGH OF ROSELLE PARK PREVIOUSLY PROVIDED TO YOU RELATED TO STREET OPENINGS, INCLUDING, BUT NOT LIMITED TO:

- SUBSECTION 23-1.4 CONTINGENT APPROVALS.
- SUBSECTION 23-1.5 COMPLIANCE WITH REGULATIONS.
- SUBSECTION 23-1.6 CONDITIONS OF ALL PERMITS.

Signature

Date

Print Name

**ENABLING CODE ADOPTED BY
THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE PARK
(AS AMENDED IN ORDINANCE NO. 2586)**

23-1 EXCAVATION IN STREETS.

23-1.1 Permit Required.

It shall be unlawful to excavate, dig in, tunnel or open any public street in the Borough of Roselle Park for any purpose without a permit being first secured from the Borough Public Works Superintendent or authorized agent and except upon compliance with the provisions of this article. "Street," for the purpose of this article, shall mean any road, thoroughfare, highway, public way, public alley, easement or other right-of-way accepted or maintained by the Borough as a public street, as well as any other state or county road or highway over which the Borough has acquired jurisdiction by agreement.

23-1.2 Permit Application Procedure.

Any person, firm, or corporation desiring a permit for the opening of a street or tunneling therein shall make application to the Borough of Roselle Park Public Works Superintendent or authorized agent, care of the Office of the Borough Clerk, setting forth the following information:

- a. The name, mailing address, phone number, and e-mail address of the applicant.
- b. The name, mailing address, phone number and emergency contact number for the workmen or construction contractor who is to perform work associated with roadway opening.
- c. A brief description of the character of the work to be conducted.
- d. The name of the street where the opening is to be made and the street number, if any, of the nearest adjacent property.
- e. The total area planned for excavation calculated in square feet where roadway surface is subject to work.
- f. The date when work is to be commenced and completed.
- g. A statement that the applicant agrees to replace, at its own cost and expense, in accordance with Borough specifications and details, the opening to, at a minimum, the same state and condition as they were at the time of the commencement of the work, and further agrees to comply with all other applicable Ordinances, regulations and laws relative to the work.
- h. A form agreement to indemnify and hold harmless the Borough from all loss, damage, claim or expense, including expenses incurred in the defense

of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit.

- i. The registration number from the underground utility location service “New Jersey One Call” (1-800-272-1000) indicating that they have been properly notified and will locate underground facilities in the area of the proposed opening or tunneling operation.
- j. If the applicant is proposing a sanitary sewer connection to a Borough-owned sanitary sewer, the applicant shall submit sanitary sewer connection details. The submittal shall include inverts elevations at the proposed connection and exiting the structure.
- k. Such other information as the Borough Public Works Superintendent or authorized agent may consider pertinent.

23-1.3 Authority to Grant or Deny Permit.

The Borough of Roselle Park Public Works Superintendent or authorized agent is hereby authorized to refuse the issuance of any permit if such refusal is in the interest of public safety, public convenience or public health. If a permit is refused by the Borough of Roselle Park or authorized agent, an appeal may be taken to the governing body of the Borough. The governing body, after hearing the applicant and the Borough Public Works Superintendent or authorized agent and such evidence as may be produced, may either direct the issuance of such permit or sustain the refusal of the Public Works Superintendent or authorized agent.

23-1.4 Contingent Approvals

- a. Permits for openings on roadways which have been revitalized, reconstructed or otherwise resurfaced by the Borough of Roselle Park within five (5) years shall be granted with the understanding and contingent upon the applicant’s agreement to repave the affected roadway curb-to-curb within the project limits at the direction of the Borough of Roselle Park. This provision shall not apply in an emergency as outlined in this Section.
- b. Permits for openings on roadways which have been revitalized, reconstructed or otherwise resurfaced by the Borough of Roselle Park more than five (5) years prior to the commencement of work shall be granted with the understanding and contingent upon the applicant’s agreement to repave one-half of the affected roadway within the project limits at the direction of the Borough of Roselle Park. This provision shall not apply in an emergency as outlined in this Section.
 - i. Patch and small longitudinal trench restoration, completed with strict adherence to all conditions and regulations of this Section, included under this paragraph may be approved at and within the sole discretion of the Borough Public Works Superintendent or authorized agent.

23-1.5 Compliance with Regulations.

All permits issued under this Section shall require the applicant to comply with the following:

- a. All excavations shall be kept properly barricaded at all times and, during the hours of darkness, shall be provided with the proper warning lights. The applicant shall provide such signs, controls, barricades, warning lights and personnel necessary for safe operation and compliance with the current edition of the New Jersey Department of Transportation Construction Specifications for Bridge and Roadway Construction, the current edition of the Manual on Uniform Traffic Control Devices, and all applicable federal and state laws.**
- b. All excavations or tunneling shall be sheeted, shored or braced in accordance with applicable safety codes and Occupational Safety and Health Administration (OSHA) standards.**
- c. All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to traffic unless the closing is approved by the Roselle Park Police Department. The Borough Public Works Department and the Police Department shall be notified of all street closings at least forty-eight (48) hours in advance, except where the work is of an emergency nature as defined by this Section, when notice shall be given to the Public Works Superintendent or authorized agent and Police Department when work commences.**
- d. Longitudinal and transverse trenches must be sawcut in a neat straight line. The lines shall be parallel to the roadway centerline with square edges. If during construction the pavement edge is broken, the pavement shall be sawcut to provide a neat straight line.**
- e. All refuse and material shall be removed as soon as possible, but within no more than twenty-four (24) hours.**
- f. All excavations shall be completely backfilled with a ready-mixed flowable fill with a twenty-eight-day compressive strength of 1,200 psi to within six inches of the surface of the pavement for the hot mixed asphalt base course (four inches) and hot mix asphalt surface course (two inches).**
- g. If tunneling operations are required the tunnel shall be backfilled with rammed concrete composed of one part cement to 10 parts sand.**
- h. Wherever it is necessary to cross over, through or under existing bridged or culverts, plans must be submitted to the Borough of Roselle Park for reviewed by the Borough Engineer. Such plans shall outline, in detail, the proposed method of crossing such structures. Such plans are subject to final approval by the Borough Engineer.**

- i. If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations.**
- j. Restoration of any street foundation or surface shall not commence until the Borough Public Works Superintendent or authorized agent or his designated representative has determined that the ready-mixed flowable fill has cured sufficiently for placement of asphalt courses.**
- k. The finished pavement thickness shall match that of the existing roadway, but shall not be less than six inches thick. The typical pavement section shall consist of Hot Mix Asphalt Base Course, Mix I-2, four inches thick and Hot Mix Asphalt Surface Course, Mix I-5, two inches thick. For longitudinal trenches, the contractor shall, at a minimum, mill and resurface half of the roadway width from edge of pavement to center line of the road. Prior to placing the top course material, the base course and cold joints must be tack coated. Where openings have been made in a concrete roadway, the trench shall be excavated to the bottom of the concrete base course. The existing concrete base course shall be drilled and doweled and concrete base course with a minimum twenty-eight-day compressive strength of 4,500 psi shall be installed to match the existing concrete thickness.**
- l. The street surface shall be restored to the satisfaction of the Borough Public Works Superintendent or authorized agent. The surface pavement at the utility service connections shall be heated using infrared technology so that the mending of the old and new asphalt is achieved and joints are not visible.**
- m. All work, material, and equipment shall conform to the requirements of the current edition of the New Jersey Department of Transportation Construction Specifications for Bridge and Roadway Construction. The materials and work shall also be in accordance with applicable Township regulations, specifications, and details as deemed appropriate by the Borough Public Works Superintendent or authorized agent.**

23-1.6 Conditions of All Permits.

The following conditions and regulations shall apply to all permits issued under this article:

- a. A permit shall apply only to the person to whom it is issued and shall not be transferable.**
- b. A permit shall be granted on a per opening basis, where opening are contiguous in nature. Separate openings shall require separate permits regardless of their proximity to one another.**
- c. Work under a permit shall commence within thirty (30) days from the date of issuance of the permit, which shall be valid for thirty (30) days therefrom. If work is not commenced within that time, the permit shall**

automatically terminate, unless extended in writing by the Borough Public Works Superintendent or authorized agent.

- d. A copy of the permit shall be kept in possession of the person actually performing the work and shall be exhibited on demand to any duly authorized representative or police officer of the Borough.
- e. The Borough Public Works Superintendent or authorized agent may revoke a permit for any of the following reasons:
 - i. Violation of any provision of this article or any other applicable rules, regulations, law or Ordinance.
 - ii. Violation of any condition of the permit issued.
 - iii. Carrying on work under the permit in a manner which endangers life or property, or which creates any condition which is unhealthy, unsanitary or a nuisance.
- f. In special cases, the governing body of the Borough may, by Resolution, impose special conditions to which the issuance of a permit may be subject, or may decide that any provision of this Section shall not be applicable or may be modified.
- g. The Borough Public Works Superintendent or authorized agent may make any rules and regulations which he considers necessary for the administration and enforcement of this article, but no regulation shall be inconsistent with, alter or amend the intent of any provision of this article or impose any requirement which is in addition to those expressly or by implication imposed by this article. Copies of all current regulations shall be furnished each permittee at the time of the issuance of the permit.

23-1.7 Fees to Accompany Application

- a. Prior to issuance of any permit pursuant to this Section, the applicant shall file an application for said permit at least forty-eight (48) hours prior to the expectation of the issuances of the same or the commencement of work and shall pay for said permit in accordance with the following schedule:

Application Fee(s)	Normal	\$40.00
	Unreported	\$120.00
	Emergency	\$0.00

Permit Fee(s)	Less Than or Equal to 25 sq. ft.	\$100.00
	Greater Than 25 and Less than 50 sq. ft.	\$150.00
	Over 50 sq. ft.	\$3.00 per sq. ft.

Inspection Fee	All Openings	\$75.00
-----------------------	---------------------	----------------

Cash Bond	Opening Less Than or Equal to 50 sq. ft.	\$500.00
	Opening Greater Than 50 sq. ft.	\$1,000.00

- b. All application, permit and inspection fees are nonrefundable, and said application and permit, once issued, are valid for a period of one (1) year, assuming compliance with the provisions of this Section.**
- c. All fees shall be waived for work done by the County of Union and State of New Jersey. Both entities shall be required to file an application prior to any work being done.**
- d. In lieu of case-by-case bonds, public utilities shall be allowed to establish an escrow account with the Borough of Roselle Park for the required cash bonds. A maximum of \$2,500.00 shall be deposited in this account, unless a single project requires the posting of a larger amount as determined by the Borough Public Works Superintendent or authorized agent, in their sole and professional discretion. The Borough of Roselle Park shall have the authority and right to use the escrow funds to restore or maintain the work covered by the permit if the applicant fails to do so within twenty-four (24) hours of notification by the Borough in instances of public safety of the traveling public.**
- e. The provisions of above paragraph d. notwithstanding, one (1) year after permanent restoration is completed, the Borough Public Works Superintendent or authorized agent shall reinspect the work area. If the restoration is satisfactory, the cash bond shall be refunded. If additional restoration is required, the Borough shall notify the applicant of the additional work to be performed and will reinspect the restoration area again. One month after the corrective action, a refund shall then be made if restoration is satisfactory.**

23-1.8 Definition of Emergency.

For the purpose of this Section, an emergency shall be defined as an event or occurrence in which a sewer main, conduit or utility in or under any road breaks, bursts or otherwise is in such condition as to immediately endanger the property, life, health or safety of any individual. The person, company or utility owning or controlling such sewer, main, conduit or utility, without first applying for and obtaining a permit herein described, shall immediately take proper emergency measures to secure or remedy the dangerous conditions for the protection of property, life, health and safety of individuals. However, such person owning or controlling such a facility shall apply for an excavation permit not later than the end of the next succeeding day during which Borough offices are open for business, and shall not proceed with permanent repairs without first obtaining permit

23-1.9 Violations and Penalties.

Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding one thousand (\$1,000.00) dollars or by

imprisonment for a term not exceeding ninety (90) days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

23-1.10 Enforcement Authority.

Those empowered to enforce the provisions of this Section shall be any officer of the Roselle Park Police Department, the Roselle Park Superintendent of Public Works or their authorized representative, or any officer of the Roselle Park Department of Code Enforcement.