

**THE BOROUGH OF RIVERTON
BURLINGTON COUNTY**

ORDINANCE NO. 2016 - 05

**AN ORDINANCE AMENDING CHAPTER 111 “STREETS
AND SIDEWALKS,” ARTICLE VI “STREET EXCAVATIONS”
OF THE CODE OF THE BOROUGH OF RIVERTON TO ALLOW
FOR A FIVE YEAR MORATORIUM ON STREET OPENING PERMITS**

WHEREAS, Borough code currently provides for a three-year prohibition on road opening permits following excavation work; and

WHEREAS, the Mayor and Council have noted a significant portion of roads in the Borough are becoming overlaid as a result of repeated utility work; and

WHEREAS, the Mayor and Council desire to curtail this damage to Borough roads;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Riverton that Article VI, “Street Excavations,” be amended and supplemented as follows:

I.

ARTICLE IV
Street Excavations

Section 111-25. “Excavations prohibited following street improvements”

- B. Within said forty-five (45) days, every public utility company receiving notice as prescribed herein shall perform such excavation work, subject to the provisions of this article, as may be necessary to install all repair sewers, mains, conduits or other utility installations. In the event that any owner of real property abutting said street shall fail within forty-five (45) days to perform such excavation work as may be required to install or repair utility service lines or service connections to the property lines, any and all rights of such owner or successors in interest to make openings, cuts, or excavations in said streets, shall be forfeited for a period of five (5) years from the date of enactment of said ordinance, resolution or the passage of such motion. During said five-year period, no street opening permit shall be issued to open, cut or excavate in said street unless, in the judgment of the Borough Engineer, in emergency, as described otherwise in this article, exists which makes it absolutely essential that the street opening permit be issued.

II.

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

III.

If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause,

section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

IV.

This ordinance shall take effect after the first publication thereof after final passage according to law.

Suzanne Cairns Wells
Mayor

CERTIFICATE OF CLERK

I, Michelle Hack, Municipal Clerk for the Borough of Riverton do hereby **CERTIFY** that the foregoing Ordinance # 2016-05 was introduced on first reading by title only on April 13, 2016; and was duly adopted after the second reading and public hearing by the Borough Council at their regular monthly meeting held on May 11, 2016 at 7:30 p.m.

Michelle Hack
Municipal Clerk