

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 330,
STREET AND SIDEWALK, SECTION 22C(2) FEES AND DEPOSIT OF THE
BOROUGH CODE, TO AMEND THE DEPOSIT FEE REQUIRED**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Spring Lake in the County of Monmouth, State of New Jersey as follows:

Section 1:

Chapter 330 entitled "Street and Sidewalks" of the Code of the Borough of Spring Lake is hereby amended as follows:

§ 330-22. Application.

Is hereby amended to read as follows:

C. Fees and deposit

(2) In addition thereto, there shall be due from the applicant the sum of \$1,250 for each opening which shall be deemed a deposit which shall be either refunded or forfeited as hereinafter set forth. The person making the application and who paid the fee shall be responsible and liable for the satisfactory filling in and patching of the excavation. When, and if, the completed work is performed and approved as above stated, then, and in that event, the applicant shall be entitled to the refund or the \$1,250 deposit. The applicant, however, shall forfeit the deposit of \$1,250 if it becomes necessary for the Borough to restore the street to its preexisting condition should the permittee fail to do so as required by §330-25.

Section 2:

All other provisions of Chapter 225 not amended or replaced herein remain in full force and effect.

Section 3.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

Section 4.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

Section 5.


This Ordinance shall take effect on upon passage and publication in accordance with applicable law.

INTRODUCED: November 10, 2009

ADOPTED: December 8, 2009

APPROVED: 
JENNIFER NAUGHTON, Mayor

Attest:


JANE L. GILLESPIE, BOROUGH CLERK