

ORDINANCE NO. 01- 2016

ORDINANCE OF THE BOROUGH OF TUCKERTON,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 220 OF  
THE BOROUGH CODE OF THE BOROUGH OF  
TUCKERTON ENTITLED "SITE PLAN REVIEW" SO AS TO  
ESTABLISH REGULATIONS FOR THE ACCEPTANCE OF  
IMPROVEMENTS

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Tuckerton, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Chapter 220 of the Borough Code of the Borough of Tuckerton entitled "Site Plan Review" is hereby amended and supplemented to add new §220-9 entitled "Acceptance of Improvements" which shall read as follows:

**§220-9. Acceptance of Improvements.**

Upon completion of all required site plan and subdivision improvements, the developer may request the Borough to accept the improvements for maintenance and release all performance guarantees in accordance with the following procedure:

- A. Request for acceptance of improvements and release of performance guarantee shall be made in writing to the Borough Council with a copy sent to the Borough Engineer. Accompanying said request shall be a statement from the developer's engineer that he has inspected all improvements and in his opinion are in satisfactory condition to be accepted by the Borough.
- B. Upon notice request for acceptance, the Borough Engineer shall make or cause to be made a final inspection of the improvements. Those improvements not in acceptable condition shall be reported to the developer in writing for correction, repair or replacement. Upon receipt from the developer's engineer a report that the necessary corrections, repair or replacements have been accomplished, the Borough Engineer shall re-inspect the improvements.
- C. Prior to the Borough Engineer making his final report and recommendation to the Borough Council, the developer will supply as-built plans, signed and sealed by a licensed New Jersey Professional Engineer/Surveyor showing surface grading including major lot grading, building finished floor grades and curb and gutter grades, together with horizontal and vertical location of underground facilities. Manholes, inlets, street trees and

other such appurtenances together with sidewalks and curbs shall be shown in true location and grade. The as-built plans shall be submitted on reproducible media.

- D. The developer shall furnish a maintenance bond in a form acceptable to the Borough in the amount of 15 percent of the total improvement cost estimate for a period of two years.

**§220-9.1. Action by the Borough Council.**

After all of the requirements of subsection 220.9 have been complied with, the Borough Council may accept the improvements for maintenance and release the performance bonds.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Tuckerton held on the 1<sup>st</sup> day of February, 2016, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 16<sup>th</sup> day of February, 2016, at 7:00 p.m. at the Borough Hall located at 140 East Main Street, Tuckerton, New Jersey, at which time and place, any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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**JENNY GLEGHORN, RMC**  
Borough Clerk, Borough of Tuckerton

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The Borough of Tuckerton introduced the above ordinance at its February 1, 2016 meeting. The Ordinance amends and supplements Chapter 220 of the Borough Code of the Borough of Tuckerton entitled "Site Plan Review" so as to establish regulations for the acceptance of improvements. The Ordinance will be considered on second and final reading at the February 16, 2016 meeting of the governing body. All meetings are held at the Borough Hall located at 140 East Main St., Tuckerton, New Jersey, commencing at 7:00 p.m. Copies of all Ordinances are available at no cost at the Borough Clerk's Office located at 420 East Main St., Tuckerton, New Jersey, Monday through Friday from 9:00 a.m. to 4:00 p.m.

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**JENNY GLEGHORN, RMC**  
Borough Clerk  
Borough of Tuckerton