

OFFICIAL

BOROUGH OF AVALON

ORDINANCE NO. 1115

AN ORDINANCE AMENDING SECTION 4.2H. OF ORDINANCE NO. 953 AND ORDINANCE NO. 987 WHICH AMENDED ORDINANCE 953, WHICH ORDINANCE REGULATED STREET OPENINGS, EXCAVATIONS AND PAVEMENT CUTS AND SETTING INSURANCE REQUIREMENTS IN THE BOROUGH OF AVALON.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Avalon, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION I. Whereas the Council of the Borough

of Avalon on the 2nd day of October 1959 enacted into a law

Ordinance No. 953 and enacted Ordinance No. 987 into a law on the 11th day of October, 1963.

SECTION II. Whereas Section 4.2H. of Ordinance No.

953 reads as follows:

"All inspection cost shall be borne by the permittee. Such costs shall be based on a schedule of charges on file in the Office of the Manager."

SECTION III.

Whereas Section 4.2H. shall be

amended to include the following inspection costs and schedule of charges to be kept on file in the Office of the Manager of the Borough of Avalon:

a. Before any permit shall be issued to open or excavate any street, as hereinbefore defined, within the Borough of Avalon the applicant shall pay to the Borough Manager, the following application and inspection fees, which are established hereby for the purpose of partially defraying the actual administration and inspection cost to the Borough of Avalon of administering this Ordinance:

(1) For Openings Within Cartway Established For  
Vehicular Use:

- (a) An application fee of \$5.00.
- (b) An inspection fee of \$20.00 per opening not exceeding twenty (20) feet in length.
- (c) If the opening proposed in the application exceeds twenty (20) feet in length,

the normal inspection fee of \$20.00 above set forth plus an additional inspection fee of \$20.00 for each additional fifty (50) lineal feet of opening of fraction thereof.

(2) For Openings Within Sidewalk and Unimproved Areas Where Actual Excavation Thereunder is

Proposed:

- (a) An application fee of \$5.00.
- (b) An inspection fee of \$10.00 per opening not exceeding fifteen (15) feet in length.
- (c) If the opening proposed in the application exceeds fifteen (15) feet in length, the normal inspection fee of \$10.00 plus an additional inspection fee of \$20.00 per each additional fifty (50) lineal feet of opening, or any fraction thereof.

b. No application shall be accepted, nor shall any permit hereunder be issued, unless and until there is filed with the application for permit the applicant's bond with corporate surety thereon, in the following amounts:

Length of Opening	Estimated Cost	Bond Required
0' to 50'	Not exceeding \$1,500.00	\$ 3,000.00
50' to 100'	Not exceeding 3,000.00	6,000.00
100' to 150'	Not exceeding 4,500.00	9,000.00
150' to 200'	Not exceeding 6,000.00	12,000.00
200' to 250'	Not exceeding 7,500.00	15,000.00
250' to 300'	Not exceeding 9,000.00	18,000.00
300' to 350'	Not exceeding 10,500.00	21,000.00
350' to 400'	Not exceeding 12,000.00	24,000.00
400' to 450'	Not exceeding 13,500.00	27,000.00
450' to 500'	Not exceeding 15,000.00	30,000.00

SECTION IV.

Each applicant, upon receipt of a permit, shall provide the Borough with an acceptable certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall cover collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liabilities arising from completed operations. The amount of the insurance shall be prescribed by the Borough in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall not be in an amount less than \$100,000.00 for each personal and \$300,000.00 for each accident and for property damages an amount not less than \$50,000.00 with an aggregate of \$100,000.00 for all accidents. Public utility companies and authorities may be relieved of the obligation of submitting such a certificate if they submit satisfactory evidence that they are insured in accordance with the requirements of this Ordinance or have adequate provision for self-insurance. Public utilities may file an annual certificate of insurance in lieu of individual certificates for each permit.

SECTION V.

Any Ordinance or part of Ordinance or Resolution inconsistent with the provisions of this Ordinance be and the same are hereby repealed.

This Ordinance ordained and enacted into law in Council this 20<sup>TH</sup> day of DECEMBER, 1978.

ATTEST:

BOROUGH OF AVALON

Eric E. Costello  
Secretary

By Herbert J. Gibson  
President of Council

(SEAL)

This Ordinance examined and approved by me  
this 21<sup>st</sup> day of December, 1978.

Joseph E. Egan  
Mayor