

**IMPORTANT:** PLEASE PRINT LEGIBLY AND FIRMLY WHEN FILLING OUT THIS FORM.  
**YOU MUST NOTIFY THE BOROUGH OF MADISON ROAD DEPARTMENT 24 HOURS PRIOR (973) 593-3088**  
**YOU MUST CALL FOR MARK-OUT 72 HOURS IN ADVANCE OF EXCAVATION (800 272-1000 or 811)**

**BOROUGH OF MADISON  
MORRIS COUNTY, NEW JERSEY  
APPLICATION FOR ROAD OPENING OR WORK WITHIN RIGHT-OF-WAY**

Complete and submit to Engineering Department, 50 Kings Road, Madison NJ 07940

Date: \_\_\_\_\_ Permit No. \_\_\_\_\_

Application is made by \_\_\_\_\_

Applicant's Telephone No. \_\_\_\_\_

Property Owner's Telephone No. \_\_\_\_\_

Located at \_\_\_\_\_

Address

Block

Lot

For a permit to open the road named: \_\_\_\_\_

Road name

For the purpose of: Curb/Gutter/Sidewalk/Driveway/Shoulder/Sewer/Drainage/Water/Utility/Pavement/Bridge/Scaffold/ROW

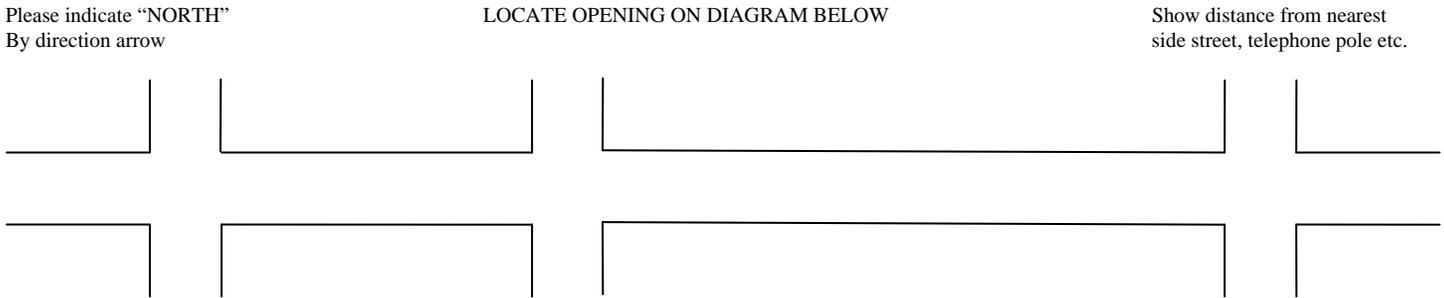
At location between \_\_\_\_\_ and \_\_\_\_\_  
(nearest House No. or intersecting streets)

Length of opening: \_\_\_\_\_ (FT) Width: \_\_\_\_\_ (FT) Depth: \_\_\_\_\_ (FT) Square Yards: \_\_\_\_\_ (SY)

Size of pipe, main or \_\_\_\_\_ Type/age of  
Ducts being installed \_\_\_\_\_ Pavement \_\_\_\_\_

Work will be started on \_\_\_\_\_ Completed on \_\_\_\_\_

Remarks: \_\_\_\_\_



Applicant agrees to comply with the rules and regulations on the back of this form as well as all laws, ordinances, resolutions, standards and procedures relating to said work. Acceptance of the permit shall be deemed an agreement to abide by all its terms and conditions. Applicant further agrees that in the event it shall cause, through negligence, improper action or omission, while work is in progress or after completion, the municipality to incur costs in order to rectify any problem, said costs shall be deducted from the cash deposit. Prevailing wage rates shall be used. After deducting all charges, the balance of the deposit shall be returned to the applicant. Applicant agrees that he is liable for charges incurred in excess of the deposit or damages resulting from neglect or non-compliance.

CONSENT \_\_\_\_\_ SIGNED \_\_\_\_\_  
(Borough Engineer) (Applicant)

Received from Applicant: Fee \$ \_\_\_\_\_ Insurance Cert. \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Cash or Bond \$ \_\_\_\_\_  
(Amount) (Date) (Amount)

Inspection \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Final Inspection \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Return of Deposit \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(Date) (Date) (Date)

**PERMIT FEE CALCULATION**

**DEPOSIT REFUND**

**ORIGINAL TO:**

\$ \_\_\_\_\_ Application Fee

\$ \_\_\_\_\_ Deposit

Borough Clerk

\$ \_\_\_\_\_ Deposit

\$ ( \_\_\_\_\_ ) Cost to Cure

**COPIES TO:**

\$ \_\_\_\_\_ Total

\$ \_\_\_\_\_ Total Refund

- 1. Engineer
- 2. Public Works
- 3. Traffic Safety
- 4. Utility Department
- 5. Health Department
- 6. Applicant

Refund authorized for payment

Received: \_\_\_\_\_  
Borough Clerk

Signed: \_\_\_\_\_  
Borough Engineer

Excerpts from Municipal Ordinance regarding Openings and Excavations; Encumbrances. Includes the full right-of-way width of any such street, road or highway.

§ 166-17 Street opening permit requirements and conditions.

A. Applications for street opening permits shall be made on forms to be obtained at the office of the Borough Engineer, in the Madison Municipal Building,

B. Every application shall generally describe the location and extent of the contemplated work for which the permit is requested and shall state the date upon which the work will be commenced and the date upon which it will be completed. Every permit shall expire six months after the date of the issuance thereof, unless extended as hereinafter provided.

C. If the application for a street permit is approved by the Borough Engineer, the permit shall be issued by the Borough Clerk upon payment to said Clerk of a fee of \$500 (Road surface less than 2 years old), \$300 (Road surface less than 5 years old) and \$100 (all other Roads) and compliance by the applicant with all requirements. The Borough Engineer, however, may waive the fee for a utility company that performs all the work, including the surface course for the trench.

E. Copies of permits, as granted, and extensions thereof, shall be submitted by the Borough Clerk to the Borough Engineer, Chief of Police and the Supervisor of Public Works. The Chief of Police shall notify the Fire Department of every pending project for which a permit has been granted.

F. If any contemplated project will completely obstruct any thoroughfare or make a length of more than 200 feet of any thoroughfare inaccessible for vehicular traffic for a period in excess of 24 hours, then a period of not less than 72 hours shall elapse after the issuance of the permit before the operation may be started. Unless otherwise approved by the Borough Engineer, where an excavation is to extend the full width of the road, only 1/2 of the excavation shall be made at one time and shall be properly backfilled in accordance with § 166-19 herein before the other 1/2 is excavated.

G. Permission to make a curb or street opening or to tear up the surface of the road does not carry with it any right to make drainage, sewer, water, oil, steam, electric or telephone connections. Separate permits to make such connections must be obtained from the Borough Engineer or utility official having jurisdiction over these matters.

H. Insurance.

(1) A certificate of insurance must be supplied. Public personal injury liability and property damage liability, including contingent liability and contractual liability shall be as follows:

- (a) One person in any one occurrence: \$1,000,000.
- (b) Two or more persons in any one occurrence: \$1,000,000.
- (c) Aggregate property damage limit: \$1,000,000.
- (d) Property damage in any accident: \$1,000,000.
- (e) Automobile liability insurance:

- [1] One person in any one accident: \$1,000,000.
- [2] Two or more persons in any one accident: \$1,000,000.
- [3] Property damage in any one accident: \$1,000,000.

(f) Property damage insurance shall be extended to cover damage to underground wires, pipes, ducts, conduits, structures, etc., and further to cover explosive damage and damage due to collapse.

(2) The policies shall remain in force until all work has been completed.

(3) All policies shall be endorsed to provide the Engineer with 10 days written notice in advance of any changes or cancellations which modify the coverage provided. In the event that the contractor shall carry blanket liability insurance coverage, compliance with the foregoing requirements shall be met hereunder, provided that the limits of said blanket liability insurance policy shall comply with the amount outlined above.

(4) All policies, whether blanket policies or not, shall name the Borough as a coinsured.

(5) The policies and/or endorsements herein required must be submitted to the Engineer (in duplicate) at least five days prior to the beginning any work.

§ 166-20 Deposit to ensure proper repair of street;

A. No person, firm or corporation shall be granted a permit to open any street until and unless there shall first be deposited with the Borough Clerk an amount estimated to be sufficient to pay the expenses of repairing and replacing such public road, including the restoration of pavement or other surfaces or installations within the street area.

B. Amount of deposit.

(1) The amount of such deposit shall be estimated by the Borough Engineer in accordance with the following schedule of costs; provided, however, that the minimum amount to be deposited with the Borough shall be \$50: (a) Repairs within the street pavement, the deposit is \$250. (b) Repairs outside of the street pavement, the deposit is \$100. (c) Repairs within and outside of the street pavement, the total deposit is \$350.

(2) The cost as determined by the Borough Engineer or his designee for Borough forces to restore the opening.

§ 166-21 Backfill specifications. Unless otherwise directed by the Borough Engineer, the following specifications shall govern the backfill to be placed in excavated trenches:

A. All roads shall be backfilled with quarry-processed stone or a substitute acceptable to the Borough Engineer and shall be tamped in twelve-inch layers with a mechanical tamper.

B. All openings shall be backfilled as specified herein. No backfill shall be placed unless the Engineer or his representative is present.

C. Backfill shall be placed in trenches as above specified by the person, firm or corporation making the opening. The trench shall be paved with a temporary patch of bituminous material (cold patch) if the bituminous stabilized base course is not available in cold weather. See § 166-22.

D. All material not suitable for backfill and all excess backfill material shall be removed from the site by the person, firm or corporation responsible for the opening and shall not be dumped on any Borough of Madison property, except as otherwise approved by the Borough Engineer or his designee.

§ 166-22 Maintenance and repair of street openings following backfilling. Upon completion of the opening and backfill as specified and the Borough being notified of the same, the following specifications shall govern the maintenance and repair of street openings by the permittee.

A. Road openings shall be backfilled to within eight inches of the existing pavement surface. The remainder of the openings shall be filled with four inches of the quarry-processed stone and four inches of bituminous stabilized base course or cold patch during winter months. Each course shall be tamped or rolled with the equivalent capacity of a ten-ton roller. The above trench shall be maintained and kept to the existing shoulder grade by the addition of bituminous material as required.

B. Pavement openings shall be filled and paved as specified hereinabove. When, in the opinion of the Borough Engineer or his designee, settlement in the pavement opening has ceased, The temporary bituminous concrete surface and the quarry-processed stone shall be removed to a depth of eight inches and the existing pavement shall be cut back to a sharp line one foot from each side of the opening. After surfaces of the existing pavement are tack-coated with an asphalt oil, the entire area shall then be covered with six inches of bituminous stabilized base course and two inches of FABC surface course as directed by the Borough Engineer. Each course shall be rolled with the equivalent capacity of a ten-ton roller and the surface course shall be rolled to present an even-riding surface. Pavement openings are herein defined as openings within the traveled roadway or between the curbs, where curbs exist on the street.

§ 166-24 Curb opening permits; deposit.

Curb opening permits shall only be issued to provide ingress to and egress from driveways or parking places. Said curb openings shall be made only to the extent that it is necessary to permit ingress to and egress from driveways and parking areas. All curb openings shall meet Borough specifications under the direction of the Superintendent of Public Works. The deposit for curb openings, as set forth in § 166-20B(1)(b), is \$100.

§ 166-25 Sidewalk opening permits; specifications; inspections.

A. Sidewalk opening permits shall only be issued for the repair, removal and replacement of sidewalks. All new sidewalks shall be composed of a Class B New Jersey Department of Transportation mix of air-entrained concrete with a four-inch minimum thickness. At driveway crossings, the minimum thickness of sidewalks shall be six inches, composed of air-entrained concrete, Class B New Jersey Department of Transportation mix.

B. Inspections by the Borough Engineer shall be required on sidewalk construction as follows: (1) Upon installation of forms and prior to laying or pouring of concrete. (2) Upon pouring or laying and setting of concrete.

§ 166-26 Barriers and warning signs required.

It shall be the responsibility of the person, firm or corporation opening any thoroughfare, or otherwise endangering or obstructing the normal flow of traffic or normal flow of surface water thereon, to fully protect both vehicular and pedestrian traffic from possible accident or injury by the placing of suitable barriers, crosswalks, notices, warnings and/or caution signs by day and flares and flashing lights at night.

§ 166-29 Enforcement; authority of Police Department.

The Borough Engineer is hereby designated as the enforcement officer to enforce the provisions of this article and is the agent acting for the Borough of Madison in connection herewith. However, this provision shall not be construed as depriving members of the Police Department of the power to prosecute violators hereof.

§ 166-31 Violations and penalties. Any person, firm or corporation violating this article shall be subject, upon conviction, to a fine of not more than \$500 or imprisonment for not more than 90 days, or both, at the discretion of the Judge imposing the same.