

**AN ORDINANCE AMENDING CHAPTER 183 -  
STREETS AND SIDEWALKS - OF THE CODE  
OF THE BOROUGH OF HAMBURG ESTABLISHING  
NEW ARTICLE IV TO PROVIDE FOR THE SAFE  
AND EFFICIENT MOVEMENT OF TRAFFIC DURING  
ROAD CONSTRUCTION OR UTILITY WORK ON  
ABOVE OR BELOW GROUND.**

**ORDINANCE # 09-2019**

BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg, County of Sussex, State of New Jersey that Chapter 183 - Streets and Sidewalks - the Code of the Borough of Hamburg is amended to provide for the establishment of a new Article IV as hereinafter provided.

**ARTICLE IV - ROAD CONSTRUCTION/UTILITY WORK ABOVE  
OR BELOW GROUND**

**1. 183-17 - PRECONSTRUCTION MEETING.**

It shall be the responsibility of the person or contractor, which includes public utilities, wishing to conduct work on, under or above any roadway, in the Borough of Hamburg to contact the Hamburg Police Department in order to arrange a preconstruction meeting to submit plans for the safe movement of traffic during such period of construction or work. Any person, contractor or utility who fails to comply with this ordinance prior to start of such work or whose plans are not approved by the Hamburg Police Department is in violation of this ordinance.

**2. 183-18 - ROAD CLOSINGS AND DETOURS.**

Road closings and/or detours shall not be permitted unless approved by the Hamburg Police Department.

**3. 183-19 - TRAFFIC DIRECTORS.**

Traffic directors shall be provided by the contractor, at its expense, at all construction or maintenance sites when determined by the Hamburg Police that same is necessary to provide for the safe and expeditious movement of traffic.

**4. 184-20 - STOP-WORK ORDER.**

The Hamburg Police Department shall have the authority to stop work, including the removal of equipment and vehicles, stored material within the street right-of-way, backfilling of open excavations and/or other related work, in order to abate any nuisance, traffic delay and/or safety hazard or for any violation of this ordinance.

5. 184-21 - EMERGENCY REPAIR WORK.

A. In cases of an emergency, the Hamburg Police Department shall immediately be notified by such person, contractor or utility that seeks or intends to conduct such construction, maintenance operations or utility work that will obstruct, interfere or detour traffic on any road in the Borough. The person, contractor or utility shall disclose the nature of the emergency, location and hours of location.

B. All emergency construction and maintenance operations shall be performed with full regard to safety and to keep traffic interference to an absolute minimum. During such emergency repair work, the person, contractor or utility shall comply with the provisions of the Manual on Uniform Traffic Control Devices, 1995 addition.

6. 184-22 - VIOLATIONS AND PENALTIES.

Unless another penalty is specifically provided elsewhere in the Code or in a law of the state or federal government, any person who violates any provision of this ordinance, any other chapter of this Code or any other ordinance of the Borough shall, upon conviction, be punished by a fine or not more than \$1,000. Each day that such violation continues shall be deemed a separate offense.

7. ORDINANCE SEVERABLE.

This ordinance is deemed severable and in the event any part thereof is deemed invalid by a court of competent jurisdiction, the rest and remainder shall remain in full force and effect.

8. EFFECTIVE DATE.

This Ordinance shall take effect upon passage and publication as provided by law.

CERTIFICATION

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Mayor and Council of the Borough of Hamburg, held on September 4, 2019 at 7:00 p.m. and will be considered for final passage at a regular meeting of the Mayor and Council on October 7, 2019 at 7:00 p.m. or as soon thereafter as same can be considered, in the Municipal Building located at 16 Wallkill Avenue, Hamburg, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk,

Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection and acquisition during regular business hours.

Doreen Schott, RMC  
Municipal Clerk

STATEMENT

The above ordinance was adopted by roll call vote on the October 8, 2019 regular meeting of the Hamburg Mayor and Council.

Roll Call

Ayes	Krasnomowitz, Oehler, Burd, Law, Sena
Nays	None
Abstain	None
Absent	Garrett

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Doreen Schott, RMC  
Municipal Clerk