

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 86, EXCAVATIONS, REGARDING SECTION §86-1, PERMITS FOR EXCAVATIONS, ITEM D, FEE; AND CHAPTER A210 OF THE BOROUGH CODE, ENTITLED "FEES" TO UPDATE THE FEES FOR EXCAVATIONS PROVIDED IN SECTION §86-1D

WHEREAS, the Borough Engineer advised that the Borough Excavation Permit Fee is inconsistent with other municipalities and recommends that the Borough Code be updated and the current fee calculation be set as \$2.00 per square yard of disturbance from the current \$10.00 per square yard of disturbance; and

WHEREAS, the Mayor and Council for the Borough of Mount Arlington reviewed and desires to amend and supplement Borough Code Chapter 86, Excavations, regarding section §86-1, Permits for Excavations, Item D, Fee; and Chapter A210 of the Borough Code, entitled "Fees" to update the fees for Excavations provided in Section §86-1D.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 86, Excavations, regarding section §86-1, Permits for Excavations, Item D, Fee is hereby amended and supplemented to read in its entirety as follows:

§ 86-1. Permits for excavations.

D. Fee. The fee for a permit shall be one hundred dollars (\$100.) for any excavation, opening or tunnel of fifty (50) linear feet or fractional part, plus two dollars (\$2.00) for each linear yard over fifty (50) linear feet.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter A210 of the Borough Code, entitled "Fees" to update the fees for Excavations provided in Section §86-1D is hereby amended and supplemented to read in its entirety as follows:

Chapter 86, Excavations

§ 86-1D.	Permit fee for any excavation, opening or tunnel of 50 linear feet or fractional part	\$100.00, plus \$2.00 for each linear yard over 50 linear fee
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SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.


SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.


SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on May 1, 2012 and will be further considered after a Public Hearing held on June 12, 2012 at the Municipal Building at 7:00 P.M.

INTRODUCED:
PUBLISHED:
ATTEST:

BOROUGH OF MOUNT ALRINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY


Linda DeSantis, Borough Clerk


Arthur Ondish, Mayor