

**BOROUGH OF SHREWSBURY
NOTICE OF PUBLIC HEARING ON ORDINANCE 2021-1091**

Public Notice is hereby given that the following Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Shrewsbury, County of Monmouth, State of New Jersey, held on Monday, October 4, 2021 at 7:00pm. A copy of the ordinance can be obtained, without cost, by any member of the general public through the Office of the Municipal Clerk, 419 Sycamore Avenue, Shrewsbury, NJ 07702, Monday through Friday, 8:00am to 4:00pm or by emailing the Municipal Clerk at clerk@shrewsburyboro.com.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council on Monday, October 18, 2021 at 7:00pm.

Kerry Quinn, RMC
Municipal Clerk
Borough of Shrewsbury

BOROUGH OF SHREWSBURY, COUNTY OF MONMOUTH

ORDINANCE # 2021- 1091

AN ORDINANCE SUPPLEMENTING CHAPTER 90, "VEHICLES AND TRAFFIC" OF THE BOROUGH CODE OF THE BOROUGH OF SHREWSBURY

WHEREAS, the Borough has established Chapter 90, "VEHICLES AND PARKING"; and

WHEREAS, the purpose of this Ordinance is to supplement Chapter 90, "VEHICLES AND PARKING."

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Shrewsbury that Chapter 90 "VEHICLES AND PARKING" is hereby supplemented as follows:

Article XXIV. Traffic Controls for Street Construction and Maintenance Operations

§ 90-57. Findings; adoption of standards.

- A. The council hereby finds and declares that problems of traffic control occur when traffic must be moved through or around road or street construction, maintenance operations, and utility work, above or below ground, which requires blocking the roadway and obstructing the normal flow of traffic, and that such obstructions are or can become dangerous when not properly controlled. In order to better promote the public health, safety, peace, and welfare, it is necessary to establish controls and regulations directed to the safe and expeditious movement of traffic through construction and maintenance zones and to provide safety for the work forces performing these operations.
- B. The Borough of Shrewsbury does hereby adopt the current Manual on Uniform Traffic Control Devices, hereafter known as "MUTCD," except as hereby supplemented and amended, as it controls and regulates whenever construction, maintenance operations, or utility work obstructs the normal flow of traffic. Any person, contractor, or utility who fails to comply with the provisions of MUTCD while performing such work is in violation of this section.

§ 90-58. Preconstruction meetings.

It shall be the responsibility of the person or contractor or in the case of a public utility as required under the public utility agreement, wishing to conduct work on, under, or above the roadway to contact the Borough of Shrewsbury Police Department in order to arrange a preconstruction meeting in order 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 section prior to the start of such work or whose plans are not approved by the Borough of Shrewsbury Police Department is in violation of this section.

§ 90-59. Emergency contact telephone numbers; response by Borough; fees.

The person, contractor, or utility shall provide the Borough of Shrewsbury Police Department with at least two emergency contact telephone numbers to be called in case of emergency problems at the construction or maintenance site prior to the start of any work. If, for any reason, emergency contacts cannot be reached or if the emergency contact person does not respond to a call from the Borough of Shrewsbury Police Department to correct a hazardous condition, the Borough may respond to correct such hazardous condition. The reasonable fees for such emergency services by the Borough shall be charged to the person, contractor, or utility responsible for the conditions.

§ 90-60. Time limits.

There shall be no construction, maintenance operations, or utility work on any roadway in the Borough before the hour of 8:00 a.m. and after the hour of 8:00 p.m. on weekdays and Saturdays and before 12:00 noon or after the hour of 4:00 p.m. on Sundays and holidays. This time limit may be adjusted to permit work prior to or after such times by the officer in charge of the project employed by the Borough of Shrewsbury Police Department. If it is determined by the officer in charge of the project employed by the Borough of Shrewsbury Police Department that the construction or maintenance operations prior to such times would substantially delay traffic or cause a safety or health hazard, the work shall then be permitted only between the hours of 8:00 a.m. and 8:00 p.m. on weekdays and Saturdays and 12:00 noon and 4:00 p.m. on Sundays and holidays.

§ 90-61. Road closings and detours.

Road closings and/or traffic detours shall not be permitted unless approved by the Borough of Shrewsbury Police Department.

§ 90-62. Traffic directors.

Traffic directors shall be posted at all construction or maintenance sites when determined by the Borough of Shrewsbury Police Department that the same are necessary to provide for the safety and expeditious movement of traffic.

§ 90-63. Authority to stop work.

The Borough of Shrewsbury 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 and/or safety hazard or for any violation of this article.

§ 90-64. Violations and penalties.

- A. Notwithstanding the penalties listed in § 90-53 of this Chapter, any person, contractor, or utility who commits a violation of this article shall, upon conviction thereof, for a first offense, pay a fine of not less than \$100 nor more than \$500 and/or be imprisoned in the county jail for a term not to exceed 90 days. For a second offense, upon conviction thereof, a violator shall pay a fine of not less than \$250 or be imprisoned in the

county jail for a term not to exceed 90 days. For a third or subsequent conviction, a violator shall pay a fine of not less than \$500 and/or be imprisoned in the county jail for a term not to exceed 90 days.

B. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

§ 90-65. Repealer.

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Borough Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

§ 90-66. Severability.

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional such word, phrase, clause, section, or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

§ 90-67. Effective Date.

This Ordinance shall take effect upon publication thereof after final passage according to law.