BOROUGH OF CRESSKILL

ORDINANCE NO. 26-36-1692

AN ORDINANCE TO AMEND CHAPTER 230 ARTICLE XII PRIVATE DRIVEWAYS

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Cresskill that Chapter 230 Article XII of the Borough Code, entitled " Streets and Sidewalks Private Driveways Permit required" to read as follows:

Section 1
(Replace in its entirety)

A. No private driveways entering a public street shall be constructed in the Borough except upon the issuance of a permit by the Building Department. A permit fee of $75 shall be paid upon the issuance of such permit.

B. Any permit issued pursuant to Subsection A above shall be valid for a period of six months from date of issuance. All work covered by any permit shall be completed within the aforementioned six-month period.

C. The Construction Official or his agent shall possess the authority to issue summonses to enforce the provisions of this section.

§ 230-100. Issuance of permit: conditions.

No permit shall be issued for the construction of a private driveway, pursuant to § 230-99, except upon the following specifications:

A. No black top, macadam or asphalt pavement shall be laid over existing hard surface sidewalks.

B. All such driveways shall be at the same grade or level as existing sidewalks and highways where they intersect such sidewalks and highways and shall be constructed in such manner as not to obstruct or block existing surface drainage or to encroach upon the road area.

C. Where the construction of any such private driveway shall involve the breaking of existing curbing, all the requirements of this article shall apply.

D. No private driveway shall be installed or constructed when it shall involve the destruction or removal of any shade tree, unless and until written consent is procured from the Shade Tree Committee of the Borough.

E. All provisions as set forth in § 218-23E(1) shall be included as specifications for construction of the said driveways pursuant to § 230-99.

§ 230-101. Inspection of completed work; compliance; return of deposit.
Upon completion of the construction of such private driveway, the work shall be inspected by the Code Enforcement Officer. In the event of failure of the property owner to complete the construction of such private driveway in strict compliance with the terms hereof, the Code Enforcement Officer may, after 10 days' notice to such property owner, cause such work to be done upon the property as shall either restore the property to its original condition or ensure compliance with the terms hereof.

§ 230-102. Work done without permit; penalty.
Every person who shall construct, pave or improve or assist in the construction of a private driveway for which a permit was not issued, as required herein, shall, upon conviction thereof, forfeit and pay a fine of not more than $250 or be imprisoned in the county jail for not more than 30 days, and the judge before whom such person may be brought may impose such punishment or a fine or imprisonment in the county jail as he may see fit, not to exceed the maximum herein fixed.