

**TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY**

ORDINANCE #16-04

REVISED

**AN ORDINANCE AMENDING TITLE 10 ENTITLED
“VEHICLES AND TRAFFIC” OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF RARITAN BY ADDING
NEW CHAPTER 10.20 ENTITLED “TRAFFIC CONTROL
STANDARDS; REQUIREMENTS FOR CONSTRUCTION AND
MAINTENANCE.”**

WHEREAS, the Township of Raritan, through the Mayor and Council, finds and declares that problems of traffic control occur when traffic must be moved through or around street construction, maintenance operations, and utility work above and below ground, which requires blocking the roadway and obstructing the normal flow of traffic; and

WHEREAS, the Township desires to promote public health, safety and welfare, by establishing guidelines which efficiently and safely manage traffic control problems resulting from such street construction, maintenance operations, utility work and other incidents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, as follows:

Section 1. Title 10 entitled “Vehicles and Traffic” of the Revised General Ordinance of the Township of Raritan is amended to add a new Chapter 10.20, entitled “Traffic Control Standards; Requirements for Construction and Maintenance” as follows:

CHAPTER 15.20

**TRAFFIC CONTROL STANDARDS; REQUIREMENTS FOR CONSTRUCTION AND
MAINTENANCE**

§ 10.20.010 Purpose.

The purpose of this ordinance is to establish controls and regulations for the safe and expeditious movement of traffic through the Township of Raritan, in order to promote public health, safety and welfare, when construction, maintenance, repairs or utility work require blocking the streets and obstructing the normal flow of traffic.

§ 10.20.020 Adoption of Standards.

The Township of Raritan hereby adopts the current Manual of Uniform Traffic Control Devices, hereafter known as “MUTCD”, as same may be supplemented and amended. The MUTCD controls and regulates traffic whenever construction, maintenance operations or utility work obstructs the normal flow of traffic. Any person, entity, contractor or utility that fails to comply with the provisions of the MUTCD while performing such work is in violation of this section.

§ 10.20.030 Hazardous Conditions.

A person, entity, contractor or utility wishing to conduct work on, under or above any roadway within Raritan Township shall provide the Raritan Township Police Department Traffic Safety Bureau with at least two (2) emergency contact phone numbers to be called in case of emergency problems at the construction or maintenance site, or arising from the construction or maintenance being performed, prior to the start of any work. If for any reason an emergency contact cannot be reached, or if the emergency contact person does not respond in a timely manner to the call from the Raritan Township Police Department to correct a hazardous condition, the Township of Raritan may respond to such hazardous conditions. The reasonable fees for such emergency service by the Township shall be charged to the person, entity, contractor or public responsible for such conditions.

§ 10.20.040 Road Closings and Detours.

Road closings and/or traffic detours shall not be permitted unless approved by the Raritan Township Chief of Police or his designee. Advance notice of detours must be given to motorists, except in emergent situations.

§10.20.050 Preconstruction meeting.

It shall be the responsibility of the person, entity, contractor or utility as required under N.J.A.C. 16:25-9.2 wishing to conduct work on, under or above the roadway, to contact the Raritan Township Chief of Police or his designee in order to arrange a preconstruction meeting to submit plans for the safe movement of traffic during the period of construction work. The preconstruction meeting shall take place at least one week prior to the start date of the construction or maintenance work. The Raritan Township Chief of Police (or his designee) shall determine the required number of off-duty police officers required to ensure the safe movement of traffic in the construction or maintenance zone. Any person, entity, contractor or utility who fails to submit and secure approval for its traffic plan prior to the start of work shall be deemed to be in violation of this Chapter. The requirement to obtain approval of the plans shall be in addition to any other permit or other approval required by any other federal, state or municipal law, ordinance or regulation.

§10.20.060 Requirement to Hire Off Duty Police Officers.

A. Any person, entity, contractor or utility wishing to conduct work on, under or above any roadway within Raritan Township, which is anticipated to take longer than one (1) hour, shall be required to hire off duty Raritan Township police officers when determined by the Raritan Township Chief of Police (or his designee) to be necessary to ensure compliance with the MUTCD, as well as to control traffic through the work zone.

B. The Raritan Township Police Department shall be contacted at least 48 hours before starting work to arrange for the hiring of off duty police officers.

C. All work on, under or over any roadway within Raritan Township which is anticipated to take less than one hour may be controlled with civilian flagmen, unless off duty officers are deemed necessary and approved by the Raritan Township Chief of Police or his designee. All civilian flagmen shall wear orange glow-type vests and must be educated as to the proper operation of traffic flag controls. If flagmen cannot see each other, they must have walkie-talkie communication between them.

D. If the work requires any road to be closed to traffic 24 hours a day, the hiring of off duty officers shall only be required when deemed necessary and approved by the Raritan Township Chief of Police or his designee.

§10.20.070 Stop Work.

The Raritan Township Police Department shall have the authority to stop work being performed within the Township, and to require the removal of equipment, vehicles and/or stored material within the right-of-way, or the 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 Chapter.

§10.20.080 Site Preparation and Maintenance.

No materials, vehicles or equipment are to be placed in any roadway or sidewalk areas until all construction signs, lights, devices and pavement markings are installed and approved. All construction signs that will not apply during construction, such as “Flagman Ahead” signs after all work has been completed for the day, must be bagged or removed from view of motorists.

§10.20.080 Violations and Penalties.

Unless another penalty is provided by New Jersey statute, every person, entity, contractor or utility convicted of a violation of a provision of this Chapter shall be subject to a fine of not less than \$250. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

§10.20.090 Notification of Traffic Delays or Detours.

The Township of Raritan Police Department shall have sole responsibility to notify immediately all affected agencies, including but not limited to, police, fire, EMS, and the school transportation office, or any work or construction upon or near a roadway within the Township of Raritan that would delay or interfere with the provision of service. Such notification shall be made in a manner pursuant to, and in compliance with, the Raritan Township Police Department's policy and procedures.

§10.20.100 Non-Applicability.

The requirements of this Chapter shall not apply to any construction on or maintenance to any roadway located within the Township of Raritan when such construction, maintenance or work is performed by the Township or its designated agents.

Section 2. Severability.

If any section or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. Repealer.

All prior ordinances or parts of same which are inconsistent with any provisions of this article are hereby repealed to the extent of any inconsistency.

Section 4. Effective Date.

This ordinance shall take effect upon final adoption and publication according to law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN

Rose Sollena, RMC/CMC
Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on April 5, 2016, the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of May 3, 2016 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

Rose Sollena, RMC/CMC
Township Clerk