

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2024-17

AN ORDINANCE AMENDING CHAPTER 10 ENTITLED “SOIL AND SOIL REMOVAL”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, NEW JERSEY

WHEREAS, the Township Committee of the Township of Lafayette, Sussex County finds it advisable and necessary to amend and supplement the existing Ordinance regulating soil movement in the Township in the interest of promoting health, safety and welfare of the citizens; and

WHEREAS, the Township Committee of the Township of Lafayette in the County of Sussex having determined that further professional guidance is needed from the Township Engineer in matters relating to soil and soil movement in the Township which triggers collection of escrow to allow for the costs of this additional scrutiny by the Township Engineer to be covered; and

WHEREAS, the Township Committee of the Township of Lafayette in the County of Sussex having recognized that the Township is now included in the regionalized Upper Delaware Soil Conservation District rather than the prior District identified as the Sussex County Soil Conservation District.

BE IT ORDAINED by the Township Committee of the Township of Lafayette that Chapter 10 of the Revised General Ordinances of the Township of Lafayette, being “SOIL AND SOIL REMOVAL”, shall be and is hereby amended or supplemented as follows:

Section 1. Provisions of the existing Chapter 10 are revised or supplemented as follows:

10-2 - DEFINITIONS

ZONING OFFICER - The person designated by the Township with jurisdiction to initially review all minor soil removal applications and exemptions from the permit requirements under this chapter and who makes the threshold decision whether the application requires professional evaluation by the Township Engineer.

10-4 - PERMIT REQUIRED; EXEMPTIONS

l. Notwithstanding an exception, all work shall be performed in accordance with the standards for soil erosion and sediment control as regulated by the State of New Jersey and the Upper Delaware Soil Conservation District requirements.

m. Notwithstanding any exception enumerated in this provision, the Zoning Officer may require proof that the movement of material is not contaminated soil or fill as defined in this Chapter and the Zoning Officer may seek professional input from the Township Engineer who may require the property owner to post an escrow to cover the professional costs for any necessary preliminary assessment, site inspection, analysis of any soil testing data or other remedial investigation and/or remedial action that may be required.

10-5 - APPLICATION REQUIREMENTS

b. In the case of a major soil moving permit, plans shall be prepared by a New Jersey licensed professional engineer or other qualified professional. For a minor soil moving permit, the Zoning Officer may require such preparation if he deems the plans as submitted to be inadequate or if the zoning officer in his discretion deems it necessary to seek professional input from the Township Engineer in cases of a minor soil moving permit.

10-6 - PERMIT APPLICATION; REVIEW; FEE

e. The fee for both a minor or major soil placement permit, which fees may be amended from time to time, shall be:

	Soil Placement Permit Fees	
	Application Fee	Escrow Fee
Minor Soil Moving	\$150	N/A*
Major Soil Moving	\$250	\$2,000.00

*As determined by the Township Engineer if the Zoning Officer, in his discretion, deems it necessary to see professional input from the Township Engineer.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable, and the remaining portions of this Ordinance shall remain in full force and effect.

Section 3. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect after publication and passage according to law.

NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting on August 6, 2024 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on September 3, 2024.

Mayor:

Municipal Clerk: