

WANTAGE TOWNSHIP ORDINANCE 2010-02

AN ORDINANCE TO AMEND CHAPTER XXIII SOIL REMOVAL

WHEREAS, the Wantage Township Engineer has recommended that the performance guarantee for soil removal operations be raised from the current \$5,000 per acre; and

WHEREAS, the Wantage Township Committee believes it is in the best interest of the Township to raise the performance guarantee for soil removal operations.

NOW, THEREFORE, BE 11 ORDAINED by the Mayor and Township Committee of the Township of Wantage that Chapter XXIII, Section 23-1.12 of the Revised General Ordinances of the Township of Wantage shall be and is amended as follows:

23-1.12 Performance Guarantee.

Before any work is done for which a permit is required, and during the period covered by a permit, the applicant shall file and maintain a performance guarantee in form and with surety acceptable to the township attorney in such amount as in the opinion of the township engineer shall be sufficient to insure the faithful performance of the work to be undertaken pursuant to the conditions of the permit and the terms thereof. The performance guarantee shall be in an amount of not less than seven thousand (\$7,000.00') dollars per acre of land which must be recovered with arable soil and reseeded or planted. It shall also cover the cost of repairing public roads likely to be damaged by the transportation of materials or equipment and final provisions for drainage for the site. To the overall amount thereof, there shall be added 15 percent to cover legal and engineering fees which may be incurred in the event of default.

Section 2. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 5. Effective Date. This Ordinance will take effect after publication and passage according to law.

ATTEST:

Clara M. Nuss, Mayor

James R. Doherty, Clerk/Administrator

NOTICE is given that this ordinance amendment was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on January 28, 2010. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on February 11, 2010, at 7:00 o'clock P.M., and copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James R. Doherty, Clerk/Administrator