

ORDINANCE NO. O-5-2026

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 83A
ENTITLED "SOIL AND FILL IMPORTATION AND PLACEMENT" OF THE CODE
OF THE TOWNSHIP OF ELK**

WHEREAS, the Mayor and Committee, Township of Elk, have determined that amendments to Chapter 83A entitled "Soil and Fill Importation and Placement" are necessary; and

WHEREAS, in all other respects Chapter 83A entitled "Soil and Fill Importation and Placement" shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 83A entitled "Soil and Fill Importation and Placement" at §83A-3 entitled "Permit; requirements" shall be revised as follows:

- A. Permit required. No person shall import or relocate soil and/or fill within the Township in an aggregate quantity in excess of 2,500 cubic yards during any 365-day period without obtaining a soils permit from the Township Engineer.

Section 2.

Chapter 83A entitled "Soil and Fill Importation and Placement" at §83A-5 entitled "Permit fee; expiration date" shall be revised as follows:

- A. Permit fee. The annual permit fee shall be \$500 per acre of land proposed to be disturbed for fill moving within one property, between contiguous properties and/or properties of common ownership and/or control; or \$1 per cubic yard for material imported into on to the Township property or properties, whichever amount is greater, to be paid upon submission of the initial application and any annual renewal application. Any estimates used for calculating fees shall be subject to an annual audit for reconciliation. No subsequent annual permits shall be issued until all prior fees have been paid.

Section 3.

Chapter 83A entitled "Soil and Fill Importation and Placement" at §83A-6 entitled "Application requirements" shall be revised as follows:

The Elk Township Committee shall not consider any application for a permit for soil and fill operations unless the applicant has deposited with the Township Clerk initial escrow moneys in the amount of \$5,000 for engineering, legal and other costs generated by an application and filed with the Township Clerk an application requesting such license. A minimum escrow balance of \$1,500 shall be maintained. The application shall include the following information and shall be accompanied by a map or maps which indicate the following:

- A. Certification that current taxes have been paid for the premises.
- B. The boundary lines of the whole tract of land within which the proposed soil or earth importation will take place.

- C. The limits and boundaries of the proposed work area, showing the location of markers or monuments set on or in the ground to define said limits.
- D. A United States Geological Survey quadrangle map showing the dimensions of the property and an area of at least 1,000 feet beyond such boundary in all directions.
- E. The lot and block numbers of the subject parcel and all adjoining land as shown on the Official Tax Map and an identification of the owners thereof.
- F. The existence of a permanently established benchmark or benchmarks approved by the Township Engineer, for which there has been established vertical and horizontal control based on the New Jersey plane coordinate system and National Geodetic Vertical Datum.
- G. The existing contour lines and grades and proposed contour lines and finished grades for the entire proposed work area; contour lines should normally be at one-foot intervals.
- H. The location of all existing and proposed streets and rights-of-way, excluding those included within the area to be mined.
- I. The location of all points of ingress and egress to the tract of land.
- J. The location of all streams, wetlands, and significant vegetation, forest associations and wildlife habitats.
- K. A soils map.
- L. A soil/fill reclamation plan which includes:
 - (1) Method of stockpiling topsoil and overburden.
 - (2) Proposed grading and final elevations.
 - (3) Topsoil material application and preparation.
 - (4) Type, quantity and age of vegetation to be used.
 - (5) Fertilizer application including method and rates.
 - (6) Planting method and schedules.
 - (7) Maintenance requirements schedule.
- M. Provision for the control of stormwater runoff from the work area as required by Chapter 86 of the Code of the Township of Elk; the applicant should give consideration to the need for detention and/or retention and/or sedimentation basins so as to minimize possible adverse conditions resulting from uncontrolled runoff and sedimentation.
- N. An erosion and sediment control plan that has been approved by the Gloucester County Soil Conservation Service.
- O. Description and details of proposed rehabilitation, stabilization and reforestation of the proposed work area.
- P. The intended use of the work area subsequent to completion of the excavation.

- Q. An agreement that the applicant agrees to indemnify the Township, its officers, employees and agents harmless from any and all costs, by reason of any work performed under said permit. The acceptance of any permit under this chapter shall constitute such an agreement by the applicant.
- R. Description and details of proposed safety measures to be taken during operations to eliminate unsafe and hazardous conditions, extensive erosion and ponding of water.
- S. The location of all existing structures, buildings and/or dwellings within 300 feet of the property line; proof of receipt of written notification of the application by each of the landowners and/or occupants within 300 feet shall be attached to the application.
- T. A study showing the effect, if any, that the proposed work will have on the elevation, movement, quantity or quality of groundwater and/or surface water within the Township, or affecting adjacent property owners.
- U. Written consent of the owner of the premises containing the proposed work area, if the owner is other than the applicant.
- V. The appropriate fees required by this chapter.
- W. An environmental impact statement, in triplicate, signed and sealed by a New Jersey licensed engineer or a New Jersey licensed professional planner, which shall include at a minimum all considerations and elements contained in the attachment to Executive Order No. 215 of 1989 (Guidelines for the Preparation of an Environmental Impact Statement/Environmental Assessment, revised and updated — 4-23-2002), and as subsequently revised and amended.
- X. Soil importation donor site details consistent with NJDEP Site Remediation and Waste Management Program, Fill Material Guidance for SRP Sites dated October 2021 (Version 4.0), and as subsequently revised and amended.
- Y. For sites zoned for or proposing residential development, a complete site plan indicating the location, volume, contaminant loading, height and/or depth of fill material.
- Z. The per cubic yard calculation for material imported on to the property or properties.
- AA. The per acre calculation of disturbed land for the property or properties.

Section 4.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 5.

Repealer.

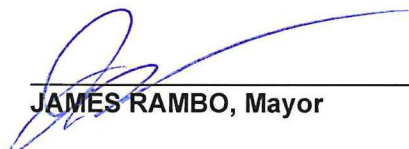
All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 6.

When effective.

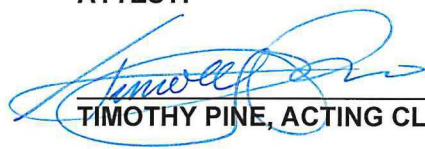
This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF ELK



JAMES RAMBO, Mayor

ATTEST:



TIMOTHY PINE, ACTING CLERK

INTRODUCTION ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Cammarata				✓
Cowan	✓			
Lucas	✓			
Sammons	✓			
Rambo	✓			

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Elk, in the County of Gloucester and State of New Jersey, held on March 5, 2026. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township Municipal Building on April 2, 2026, at 7:00 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the said Municipal Building, 680 Whig Lane, Monroeville, New Jersey, to the members of the general public who shall request the same.



TIMOTHY PINE, ACTING CLERK

FINAL ADOPTION ROLL CALL VOTE				
COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
Cammarata	✓			
Cowan				✓
Lucas	✓			
Sammons				✓
Rambo	✓			