

**EXPLANATION:** This Ordinance amends Section 188-52 of the Code of the Township of Hillsborough, titled “Grading and soil protection”, by adding a new subparagraph D.

**ORDINANCE 2009-21**

**AN ORDINANCE AMENDING SECTION 188-52 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TITLED “GRADING AND SOIL PROTECTION”, BY ADDING A NEW SUBPARAGRAPH D**

**WHEREAS,** it is the purpose of this Ordinance to amend Section 188-52 of the Code of the Township of Hillsborough, titled “Grading and soil protection”, by adding a new subparagraph D.

**NOW, THEREFORE, BE IT ORDAINED** by the Township of Hillsborough, Somerset County, New Jersey as follows:

**SECTION 1.** Section 188-52 of the Code of the Township of Hillsborough, titled “Grading and soil protection”, is amended by adding the following:

D. Any soil transported into and within the Township of Hillsborough will require a certification from an approved laboratory stating that the soil is not contaminated, suitable clean material meeting the standards of the New Jersey Department of Environmental Protection. The certification must be submitted to the Township Engineering Department a minimum of ten (10) days prior to anticipated soil transportation. Any soil material transported without this certification being on file with the Township Engineering Department is subject to testing as arranged by the Township Engineering Department, at the sole cost and expense of the contractor/property owner. Soil grading is also subject to Section 188-85 of the Code of the Township.

**SECTION 2.** Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 3.** Effective Date.

This Ordinance shall take effect as provided by law.

**ATTEST:**

**Township of Hillsborough**

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**Kevin P. Davis, Clerk**

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**Frank DelCore, Mayor**

*Introduced: 05/12/09*

*Published: 05/21/09*

*Public Hearing: 06/09/09*

*Adoption: 06/09/09*

*Published: 06/18/09*