

QUINTON TOWNSHIP

SALEM COUNTY

ORDINANCE NO. 2024-11

**AN ORDINANCE AMENDING CHAPTER 170 LAND USE, ARTICLE V,
GENERAL AND SUPPLEMENTAL USE REGULATIONS, 170-55 (C) SOIL
REMOVAL AND RESOURCE EXTRACTION**

WHEREAS, the Township of Quinton (“Quinton”) adopted ordinance 2011-09 which ordained licensing and regulations applicable to all resource extraction operations for the protection of persons and property; for the protection and preservation of the public health, safety and general welfare of the Township of Quinton and its citizens.

WHEREAS, the operation of soil removal and resource extraction has continued under this ordinance since its adoption in the Township of Quinton;

WHEREAS, the Township Committee has determined that further regulation of these activities is required for the protection and preservation of the public health, safety and general welfare of the Township of Quinton and its citizens.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Quinton that Chapter 170-55 is amended as follows:

SECTION 1. Definitions.

Chapter 170-55 A.(2) is amended to add:

Trucking Activities. Trucking activities includes loading, unloading, weighing, travel and/or movement of such vehicles.

SECTION 2. License Fee

Chapter 170-55 C.(4) (b) is amended as follows (strikeout deleted and replaced with underlined):

Mining license fee. All licenses for wet mining, wet or dry, shall include an additional license fee of \$0.25 per ton of soil, sand or gravel removed, paid quarterly.

SECTION 3. Hours of Operations

Chapter 170-55 P. is amended to add the underlined sentence:

Hours of operation. No person shall conduct any soil removal or trucking activities Monday through Saturday between the hours of 5:30 p.m. and 7:00 a.m. This specifically prohibits loading, unloading, weighing, and the travel or movement of any trucks within

the premises. No such activity shall be permitted at any time on Sunday. This section shall not be deemed to expand any hours of operation which might otherwise be limited by an approval of the Quinton Township Planning Board at the time of issuance of a variance to conduct soil removal in a zone not otherwise permitting such use.

SECTION 5. Violations; Penalties.

Chapter 170-55 R. is amended as follows (strikeout deleted and replaced with underlined):

Violations and penalties. Any person, firm or corporation violating any of the provision of this section shall be subject to a fine not exceeding \$5,000 for each violation or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court before whom such conviction shall be had. Each and every violation or nonconformance with this section or each day that any provision of this section shall have been violated shall be construed as a separate and distinct violation thereof.

SECTION 6. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an Independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 6. Effective Date:

This Ordinance shall become effective after final adoption and publication according to law.

Notice is hereby given that the foregoing proposed Ordinance No. 2024-06 was introduced and passed on first reading by the Township Committee of the Township of Quinton, County of Salem, State of New Jersey, at a regular meeting held on November 6, 2024. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on December 3, 2024 at 6:00 p.m., at the Quinton Township Municipal Building, 885 Quinton Road (Route 49), Quinton, New Jersey 08072, after which the Ordinance will be considered for final passage.

ATTEST:

Marty Uzdanovics, Township Clerk

Marjorie Sperry, Mayor

CERTIFICATION

I hereby certify the above to be a true copy of an Ordinance introduced and passed by the Township Committee on second reading following a public hearing at a regular meeting held on _____, 2024.

Marty Uzdanovics, Township Clerk DATE:

Introduction: _____, 2024

Public Hearing _____, 2024