

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 005-2023

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE
CHAPTER 15, SECTION 2 (DREDGE SOIL) OF THE CODE OF UPPER TOWNSHIP**

BE IT ORDAINED by the Township Committee, in the Township of Upper, County of Cape May and State of New Jersey, as follows:

SECTION 1. Chapter 15, Section 2 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereafter provided:

Replace Section 15-2.4 in its entirety with the following:

15-2.4 Fee.

The Township Committee shall, by resolution, set forth the amount to be charged for a permit to haul and/or dump dredge soil in the Township. Upon the granting of a permit by the Township Committee, the applicant shall pay to the Township Clerk the applicable fee.

SECTION 2. REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 3. SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 4. EFFECTIVE DATE: This Ordinance shall take effect upon final adoption and publication as required by law.

SECTION 5. CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

ATTEST:

JOANNE R. HERRON, Township Clerk

JAY NEWMAN, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 13TH DAY OF MARCH, 2023 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 3RD DAY OF APRIL, 2023 AT 6:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Legislative History:

Introduced: March 13, 2023

Publication: March 20, 2023

Newspaper(s): The Press of Atlantic City

Second Reading and Public Hearing: April 3, 2023

Final Adoption: April 3, 2023

Final Publication Date: April 7, 2023

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on April 3, 2023 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on April 7, 2023.

JOANNE R. HERRON, Township Clerk