



# SOIL

## (Removal & Deposit)

# Permit Application



# Englewood

P.O. Box 228 • Englewood, N.J. 07631 • [www.cityofenglewood.org](http://www.cityofenglewood.org)

## PERMIT APPLICATION FORM:

APPLICANT'S NAME: \_\_\_\_\_

APPLICANT'S ADDRESS: Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

APPLICANT'S PHONE NO.: \_\_\_\_\_

PROPERTY OWNER (if different) : \_\_\_\_\_

LOCATION OF PROJECT: \_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

CONTRACTOR'S ADDRESS: Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

CONTRACTOR'S PHONE NO.: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

SOC. SEC. NUMBER or TAX ID NUMBER: \_\_\_\_\_

ATTORNEY: \_\_\_\_\_

ATTORNEY PHONE NO.: \_\_\_\_\_

**PLEASE NOTE:** A separate permit shall be required for each said lots.



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## DESCRIPTION OF WORK:

DATE OF COMMENCEMENT OF PROJECT: \_\_\_\_\_

DATE OF COMPLETION OF PROJECT: \_\_\_\_\_

SOIL TYPE TO BE MOVED: \_\_\_\_\_

SOIL QUANTITY TO BE MOVE: \_\_\_\_\_

PURPOSE OR REASON FOR MOVING THE SOIL?:  
\_\_\_\_\_  
\_\_\_\_\_

LOCATE AND DESCRIBE AREAS ON PROJECT WHERE THE SOIL IS TO BE MOVED:  
\_\_\_\_\_  
\_\_\_\_\_

LOCATE AND DESCRIBE THE ORIGIN OF THE SOIL:  
\_\_\_\_\_  
\_\_\_\_\_

LIST EQUIPMENT TO BE USED IN THE SOIL MOVEMENT OPERATION:  
\_\_\_\_\_  
\_\_\_\_\_

LIST THE ROUTE TO BE USED BY THE VEHICLES IN MOVING OR INSTALLING THE SOIL:  
\_\_\_\_\_  
\_\_\_\_\_



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## DESCRIPTION OF WORK cont...

LIST SOIL EROSION AND SEDIMENT CONTROL MEASURES THAT WILL BE IMPLEMENTED DURING THE OPERATION:

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LIABILITY INSURANCE PROOF: \_\_\_\_\_

TYPE: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

I hereby grant permission to the City of Englewood officials and/or their employees to enter the premises and make surveys and inspections during the operation.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_



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## SOIL REMOVAL AND DEPOSIT WITHIN THE CITY OF ENGLEWOOD

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### PERMIT REQUIRED:

No person shall disturb any soil upon, nor transfer soil from or to any property within the City of Englewood without first obtaining a written permit from the Office of the City Engineer.

Permits may be obtained at the office of the City Engineer, 2-10 North Van Brunt St., Englewood, New Jersey 07631.

### APPLICATIONS:

An application for such a permit shall include a designation of area which the work is to take place and a Site Plan of the proposed work. Site Plan shall show the location of soil to be moved from or deposited on the site and clearly marked boundaries. The Site Plan shall include lot and block numbers, street address, and certification of compliance with the requirements of the ordinance.

### PERMIT FEE:

The fee for a permit shall be \$100.00 for the first 50 cubic yards and an additional \$100.00 for each additional 50 cubic yards of soil disturbed or part thereof.

### BOND REQUIREMENTS:

No Soil permit shall be granted to any applicant, until the applicant shall give a satisfactory bond to the City in the amount of \$100.00 plus an additional \$5.00 for each additional cubic yard of soil to be disturbed in excess of 20 cubic yards.

### COMMENCEMENT AND COMPLETION OF WORK:

The applicant shall notify the Office of the City Engineer, Police Department and Fire Department 24 hours prior to commencement of work.

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Office of the City Engineer:	Frantz Volcy	(201)567-0001
Office of the City Clerk:	Ms. Yancy Wazirmas	(201)871-6612
Police Department, Traffic:	Sergeant Martin	(201)871-6411
Attachments:	APPLICATION CODE 358 – SESC & Soil Removal	

## Request for Taxpayer Identification Number and Certification

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Give Form to the  
requester. Do not  
send to the IRS.

**Print or type.**  
**See Specific Instructions on page 3.**

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.	
<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ►	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  <small>Exempt payee code (if any) _____</small> <small>Exemption from FATCA reporting code (if any) _____</small> <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number					
		-		-	
or					
Employer identification number					
	-				

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

## Chapter 358

### SOIL EROSION AND SEDIMENT CONTROL; SOIL REMOVAL

#### ARTICLE I

##### Soil Erosion and Sediment Control

- § 358-1. Title.
- § 358-2. Purpose.
- § 358-3. Authorization and interpretation.
- § 358-4. Definitions.
- § 358-5. Plan for control of soil erosion required; certification of plan.
- § 358-6. Application for certification.
- § 358-7. Determination by City Engineer.
- § 358-8. Fees.
- § 358-9. Inspections and orders by City Engineer.
- § 358-10. Issuance of certificate of occupancy requires compliance.
- § 358-11. Violations and penalties.

#### ARTICLE II

##### Soil Removal and Deposit

- § 358-12. Findings.
- § 358-13. Definitions.
- § 358-14. Permit required.
- § 358-15. Issuance of permit; duration.
- § 358-16. Bond required; amount.
- § 358-17. Application procedure.
- § 358-18. Factors for issuance of permit.
- § 358-19. Fee.
- § 358-20. Manner of disturbance; time restrictions.
- § 358-21. Disturbance of contaminated soil.
- § 358-22. Exemptions.
- § 358-23. Appeals.
- § 358-24. Violations and penalties.

[HISTORY: Adopted by the City Council of the City of Englewood as indicated in article histories. Amendments noted where applicable.]

#### GENERAL REFERENCES

Uniform construction codes — See Ch. 167.  
Fee Schedule — See Ch. 191.  
Land use — See Ch. 250.

Stormwater and surface drainage — See Ch. 370.  
Stormwater management — See Ch. 374.

#### ARTICLE I

##### Soil Erosion and Sediment Control

[Adopted 10-5-1978 by Ord. No. 2335 as Arts. 1 through 7 of Ch. 21 of the 1978 Revised General Ordinances]

##### § 358-1. Title.

This chapter shall be known and may be cited as the "Soil Erosion and Sediment Control Ordinance of the City of Englewood."

**§ 358-2. Purpose.**

The purpose of this chapter is to control soil erosion, sedimentation and related environmental damage consistent with the provisions of the Soil Erosion and Sediment Control Act of the State of New Jersey, N.J.S.A. 4:24-39 et seq., and the regulations adopted pursuant thereto by the New Jersey State Soil Conservation Committee.

**§ 358-3. Authorization and interpretation.**

This chapter has been adopted pursuant to authorization contained in the Soil Erosion and Sediment Control Act of the State of New Jersey and the regulations adopted by the State Soil Conservation Committee of the State of New Jersey, and shall be interpreted and applied consistent with the provisions of said law and regulations.

**§ 358-4. Definitions.**

For the purposes of this chapter, unless the context clearly indicates a different meaning, the following terms shall have the following defined meanings:

**APPLICANT** — A person (as hereinafter defined) who shall submit an application for development.

**APPLICATION FOR DEVELOPMENT** — A proposed subdivision of land, site plan, conditional use, zoning variance, planned development, or construction permit.

**CERTIFICATION** — A written endorsement by the City Engineer of a plan for soil erosion and sediment control, which endorsement indicates that the plan meets the standards promulgated by this chapter.

**DISTURBANCE** — Any activity involving the clearing, excavating, storing, grading, filling or transporting of soil, or any other activity which causes soil to be exposed to the danger of erosion.

**EROSION** — The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**PERSON** — Includes a natural person, partnership, corporation or other entity of any kind including a public agency.

**PLAN** — A scheme which indicates land treatment measures, including a schedule of timing for their installation, to minimize soil erosion and sedimentation.

**PROJECT** — The disturbance of more than 5,000 square feet of surface area of land for the accommodation of construction for which the uniform construction codes<sup>1</sup> require a construction permit, except that the construction of a single-family dwelling unit shall not be deemed a project under this chapter unless such unit is part of a proposed subdivision, site plan, conditional use, zoning variance, planned development, or construction permit application including two or more such single-family dwelling units.

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1. Editor's Note: See Ch. 167, Construction Codes, Uniform.

**SEDIMENT** — Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site or origin by air, water or gravity as a product of erosion.

**SOIL** — All unconsolidated mineral or organic material of any origin.

**§ 358-5. Plan for control of soil erosion required; certification of plan.**

No person shall undertake any project within the City unless he first shall have submitted to the City Engineer a plan for control of soil erosion and sedimentation for such project, and unless such plan has been certified by the City Engineer as conforming to the Standards for Soil Erosion and Sediment Control in New Jersey (including all amendments and supplements thereto) as promulgated by the State Soil Conservation Committee pursuant to the Soil Erosion and Sediment Control Act.

**§ 358-6. Application for certification.**

An application for such certification shall be in such form, and plans submitted as part thereof shall be at such scale, as shall be designated by the City Engineer, and shall contain or indicate:

- A. The location and description of existing natural and man-made features on or surrounding the site, including general topography and soil characteristics;
- B. The location and description of proposed changes to the site and proposed disturbances thereon; and
- C. Such additional information as the City Engineer may require in order to enable him to determine compliance with the provisions of this chapter or to facilitate his making such determination.

**§ 358-7. Determination by City Engineer.**

- A. Following submission of an application for certification of a plan for soil erosion and sediment control, and after review thereof by the City Engineer to determine whether such plan complies with this chapter, the City Engineer shall provide the applicant with a written notice indicating that:
  - (1) The plan is certified; or
  - (2) The plan is certified subject to prescribed conditions attached to such notice; or
  - (3) The plan is denied certification, in which event the written notice shall state the reasons for such denial.
- B. The City Engineer shall grant or deny certification within 30 days from submission to him of a complete application; provided however, that the said thirty-day period may be extended for an additional 30 days by written agreement signed by the applicant.

- C. Failure of the City Engineer to grant or deny certification within such thirty-day period, or within such extended period as agreed to by the applicant, shall constitute and have the same effect as certification.
- D. The City Engineer shall furnish to the City Planning Board, to the Bergen County Soil Conservation District, and to the applicant a copy of each certification or denial issued by him, including all conditions or statements forming part thereof, which shall set forth the name of the applicant, the site location by both street address and block and lot numbers, the proposed land use and such other additional information as may be required by the Bergen County Soil Conservation District.
- E. Any proposed change in the certified plan shall be submitted to the City Engineer for certification in the same manner as an original application for certification of a plan.
- F. The applicant shall maintain a copy of the certified plan at the site location which shall be available for inspection during construction.

**§ 358-8. Fees. [Amended 4-24-2012 by Ord. No. 12-14]**

An application for certification of a plan for soil erosion and sediment control shall be accompanied by the required fee as provided for in Chapter 191, Fee Schedule.

**§ 358-9. Inspections and orders by City Engineer.**

- A. The City Engineer shall inspect projects from time to time to determine and ensure compliance with the provisions of the certified plan.
- B. If the City Engineer determines that the project is not proceeding in compliance with all provisions of a certified plan, he shall so advise the person proceeding with the project and demand immediate compliance with the plan.
- C. If such compliance is not immediately forthcoming, the City Engineer may issue a stop-construction order, and following the issuance of such order, no further construction activity or other work shall take place on the project until the applicant complies with all provisions of the certified plan.

**§ 358-10. Issuance of certificate of occupancy requires compliance.**

No certificate of occupancy shall be issued for any project unless the City Engineer shall first have certified to the issuing authority that there has been compliance with the provisions of a certified plan for permanent control of soil erosion and sedimentation. A formal report of such compliance shall be filed with the Chief Inspector of the City, and a copy of such formal report shall be sent to the Bergen County Soil Conservation District.

**§ 358-11. Violations and penalties.**

Any person who violates any provisions of this chapter shall be liable for the penalties prescribed in N.J.S.A. 4:24-53, which penalties shall be subject to collection and enforcement in the manner provided therein.

## ARTICLE II

## Soil Removal and Deposit

[Adopted 7-17-1990 as Art. 8 of Ch. 21 of the 1978 Revised General Ordinances]

**§ 358-12. Findings.**

Council finds and determines that the unregulated and controlled relocation, filling, excavation, removal or deposit of soil has resulted and will result in conditions detrimental to the public safety, health and general welfare and substantially interferes with the efforts of the City of Englewood to promote and effectuate proper municipal planning. Moreover, the Council finds that regulations concerning the relocation, filling, excavation, removal and deposit of soil is necessary to safeguard the above interests, protect us from the spread of contaminated soils and provide for the orderly and best use of the soil and vegetative cover of the land, a valuable natural resource.

**§ 358-13. Definitions.**

The following words and phrases when used in this article shall have the meaning given unless inconsistent with the manifest intent of this article:

**CONTAMINATED SOIL** — Soil containing any hazardous waste or radioactive substances.

**DISTURBANCE** — The excavation, removal, importation, deposit, placing, filling, grading, regrading, leveling, relocating, piling, or storage of soil or the altering or changing of the location or contour of soil; provided, however, that the term "disturbance" shall not be construed to include plowing, spading, cultivating, harrowing, disk ing, raking or tilling of soil ordinarily associated with agricultural purposes or landscape maintenance.

**HAZARDOUS WASTE** — Any waste or combination of wastes which pose a present or potential threat to human health, living organisms or the environment, including, but not limited to, waste material that is toxic, carcinogenic, corrosive, irritating, sensitizing, biologically infectious, explosive or flammable, and waste so designated by the United States Environmental Protection Agency.

**RADIOACTIVE SUBSTANCE** — Any substance which emits particle radiation, including alphas, betas, high-energy electrons, neutrons, protons or other atomic or nuclear particles in such manner as to be or tend to be injurious or dangerous to the health of persons, wildlife or the ecology.

**SOIL** — Any earth, sand, clay, loam, gravel, humus, rock or dirt, without regard to the presence or absence therein of organic matter or any debris, whether organic or construction debris, including but not limited to asphalt and concrete.

**TOPSOIL** — Soil that, in its natural state, constitutes the top layer of earth and is composed of 2% or more by weight of organic matter and has the ability to support vegetation.

**§ 358-14. Permit required.**

Except as otherwise required herein, no person shall disturb any soil upon or transfer soil from or to any property within the City of Englewood without first obtaining a permit therefor from the City Engineer.

**§ 358-15. Issuance of permit; duration.**

- A. The City Engineer may issue or revoke permits required under this article.
- B. The permit shall be issued to the owner or authorized agent of the owner with respect to each lot shown on the Tax Map of the City of Englewood upon which soil is to be disturbed. A separate permit shall be required for each of said lots.
- C. Permits shall be issued for a duration of no longer than one year.

**§ 358-16. Bond required; amount.**

- A. No soil moving permit shall be issued to any applicant until a performance bond is posted with the City, and such amount shall be determined by the City Engineer in accordance with the schedule set out below and in a form approved by the City Solicitor. The terms of such bond shall be conditioned upon the applicant's restoration of areas disturbed to a condition approved by the City Engineer's office or in accordance with a site plan or subdivision approval.
- B. The bond shall be in an amount of \$100 plus an additional \$5 for each cubic yard of soil to be disturbed in excess of 20 cubic yards.

**§ 358-17. Application procedure.**

Procedure for applying for and issuing a soil disturbance permit shall be as follows:

- A. Form of application. The applicant shall submit to the City Engineer's office, in triplicate, the following information:
  - (1) The name and address of the owner of the land.
  - (2) The description of the lands in question, including the lot and block numbers of the land as shown on the current Tax Map of the City.
  - (3) The purpose or reason for moving the soil.
  - (4) The type and quantity, in cubic yards, of soil to be moved.
  - (5) The location to which the soil is to be moved.
  - (6) The proposed dates for commencement and completion of the work.

- (7) A description of the equipment to be used in the excavation and moving of the soil, and the number and size of trucks and other vehicles to be used.
- (8) The name and address of the person having express charge, supervision and control of the proposed excavation work.
- (9) A listing of the route to be used by the vehicles in moving or installing the soil.
- (10) A written statement of plans to control soil erosion, with approval form.
- (11) Proof of liability insurance in such an amount and form as the Planning Board may require.
- (12) A statement granting permission to City officials or their employees to enter the premises and make surveys and inspections as the work progresses.

**§ 358-18. Factors for issuance of permit.**

- A. In determining whether a permit should issue, the City Engineer shall be guided by and take into consideration the public health, safety and general welfare, and particular consideration shall be given to the following factors:
  - (1) Soil erosion by water and wind.
  - (2) Drainage.
  - (3) Soil fertility.
  - (4) Lateral support of slopes and grades of abutting streets and lands.
  - (5) Land value and uses.
  - (6) Such other factors as may bear upon and relate to the coordinated, adjusted or harmonious physical development of the City.
  - (7) The health, safety and welfare of the residents, wildlife and ecology of the City of Englewood.
- B. The permit may be issued upon the determination that the proposed soil disturbance will not create conditions inimicable to public health, welfare and safety and will not result in the creation of any sharp declivities, large or unsightly mounds, pits or depressions, soil erosion or utility problems, depressed land values, drainage problems, sewerage problems or other conditions of danger.

**§ 358-19. Fee.**

The fee for a soil disturbance permit shall be \$100 for the first 50 cubic yards and an additional \$100 for each additional 50 cubic yards of soil disturbed or part thereof.

**§ 358-20. Manner of disturbance; time restrictions.**

Soil disturbance shall be performed in accordance with the following regulations:

- A. If permission to deposit or remove the soil is granted, the owner or person in charge of the deposit or removal of the soil shall so conduct the operations that there shall be no sharp declivities, pits or depressions and in such a manner that the area shall be properly leveled off, cleared of debris and graded to conform with the approved contour lines and grades.
- B. The owner or person in charge of the deposit or removal of soil shall so conduct the operations to minimize, to the extent practicable, water runoff, the creation of dust, or other airborne contamination.
- C. No excavation, removal, deposit, piling, or relocation of soil or the loading or unloading of soil from vehicles for which a permit is required shall be conducted other than between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, holidays excepted.
- D. Except in the case of the removal of contaminated soil, if permission to remove the soil is granted the owner of the premises or the person in charge of the removal of soil shall not take away the top layer of arable soil, to a depth of six inches. Such top layer of arable soil, to a depth of six inches, shall be set aside for retention on the premises and shall be respread over the premises when the rest of the soil has been removed, pursuant to the levels and contour lines approved by the City Engineer.
- E. With respect to the removal of contaminated soil within the City of Englewood, the top six inches of soil may be removed, provided the grade is restored with a minimum of six inches of suitable topsoil.

**§ 358-21. Disturbance of contaminated soil.**

- A. In addition to the requirements for obtaining a permit for the disturbance of soil contained in § 358-17 hereof, the following additional information may be required for the disturbance of any contaminated soil within the City of Englewood:
  - (1) A chemical and/or radiological inspection report, performed by a certified laboratory at the expense of the owner, on all such soil deposited, removed, relocated, piled or otherwise stored, identifying the nature of the contamination.
  - (2) The source of any contaminated soil to be relocated, deposited, piled or stored within the City of Englewood.
  - (3) The destination of any contaminated soil to be excavated, relocated or removed from the City of Englewood.
  - (4) A description of the method by which such contaminated soil is to be transported within the City of Englewood and the proposed route and the dates and times during which such proposed transportation shall take place.

(5) The quantity of the contaminated soil to be relocated, deposited, piled, stored, excavated or removed.

B. Transportation of contaminated soil within or through the City of Englewood shall be made only in accordance with the following regulations:

- (1) Vehicles transporting said contaminated soil shall be covered and sealed in such a manner as to prevent the spillage of any contaminated soil or dust therefrom during transport.
- (2) All exposed portions of said vehicles shall be cleaned of any contaminated soil prior to travel along any street within the City of Englewood.
- (3) Under no circumstances shall any contaminated soil or contaminated water runoff be permitted to fall or flow upon any street within the City of Englewood or enter into the City's sanitary sewer system or drainage water system.
- (4) Transportation routes and traffic control will be coordinated with the Public Safety Director or such other designated City official.

C. No person shall knowingly deposit, transport to or store upon any premises within the City of Englewood any contaminated soil.

**§ 358-22. Exemptions.**

The provisions of this article with respect to the issuance of a permit shall not apply to the following operations:

- A. The moving of 20 cubic yards or less of soil within a twelve-month period within any premises used for residential purposes.
- B. The disturbance of soil for the installation of underground utility lines, provided that all other necessary permits have been issued.

**§ 358-23. Appeals.**

Appeals with respect to the issuance, denial or revocation of any permit required hereunder shall be in accordance with provisions of Chapter 262 of the Code of the City of Englewood.

**§ 358-24. Violations and penalties.**

Any person violating any provision of this article shall, upon conviction thereof, be punished by a fine of not less than \$100 nor more than \$1,000 or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.