



SPONSOR: Rep. Cathcart

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 264

AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Title 22 of the Delaware Code by adding thereto a new Section as follows:

2 “§ 112. Extractive Use and Restoration.

3 (a) As used in this Section, the term ‘extractive use’ means removal of any earth product from a
4 property.

5 (b) As used in this Section, the term ‘restoration’ means the reasonable rehabilitation of the affected
6 land for useful purposes and the protection of the natural resources of the surrounding area,
7 including surface and groundwater.

8 (c) Notwithstanding any other provision of law to the contrary, each town and municipality located in
9 the State of Delaware shall follow and abide by the codes, requirements or ordinances established
10 by their respective counties as to extractive use and restoration.”.

SYNOPSIS

This Act provides that towns and municipalities shall follow and abide by the code, requirements or ordinances established by the county for extractive use and restoration where the town or municipality is located.