



**THE BOROUGH OF GLEN RIDGE
ESSEX COUNTY, NEW JERSEY
ORDINANCE NO. 1725**

ORDINANCE OF THE BOROUGH OF GLEN RIDGE, COUNTY OF ESSEX STATE OF NEW JERSEY, AMENDING THE CODE OF THE BOROUGH OF GLEN RIDGE, BY ADDING A CHAPTER ENTITLED 13.06, ENTITLED OUTDOOR LANDSCAPE WATER CONSERVATION GUIDELINES.

WHEREAS, the water supplies within the Borough of Glen Ridge should be protected to afford the greatest beneficial use to Borough of Glen Ridge citizens and businesses, which depend on adequate water supplies for their livelihood, health, welfare, and economic production; and

WHEREAS, the water resources associated with the Borough of Glen Ridge have been threatened in the past due to drought conditions; and

WHEREAS, there exists a need to ensure water is available for uses essential to the health, welfare and safety of the Borough of Glen Ridge and for averting or lessening the impact of any water shortage; and

WHEREAS, taking steps to ensure clean, wholesome, and adequate water supplies is a high priority in protecting the health, safety, and welfare of Borough of Glen Ridge citizens;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Borough of Glen Ridge has the power to adopt ordinances necessary and proper for the protection of persons and property, and the preservation of the public health, safety and welfare;

BE IT ORDAINED by the Borough Council of the Borough of Glen Ridge in County of Essex as follows:

Section 16-6. The Code of the Borough of Glen Ridge in County of Essex 2019 shall be amended by the addition of Chapter 13.06, entitled, "Outdoor Landscape Water Conservation Ordinance", to read as follows:

13.06.010. Applicability

Water Conservation Guidelines for all Users Including Residential, Commercial, Academic, Municipal Properties and Parks & Recreation Fields. Except as may be further restricted in accordance to 13.06.050, the use of water within the Borough of Glen Ridge, regardless of the source of water (public or private) shall conform to the following:

13.06.020. Water Use Restrictions

Restrictions on outdoor landscape water use apply to all users in Borough of Glen Ridge at all times regardless of source of supply (e.g. public water supplies, well or ground water, lakes, streams, or ponds) unless expressly exempt in *13.06.070. Exemptions*. Such water use shall conform to the following Outdoor Landscape Water Use Restrictions:

A. Lawn watering with a hose or hose-end sprinkler

1. May only be done two days per week: Tuesday and Saturday (odd numbered addresses) or Wednesday and Sunday (even numbered addresses)
2. Watering shall only be conducted between the hours of 6:00 a.m. and 9:00 a.m. or between 5:00 p.m. and 8:00 p.m.;
3. The watering of any single area shall not exceed thirty minutes per day;
4. Flowers and shrubs may be watered as needed with a hand-held hose equipped with an automatic shut-off nozzle;
5. No hose or hose-end watering shall be permitted when it is raining.

B. Irrigating lawns and landscapes with automatic irrigation systems equipped with a conventional irrigation controller (this includes all systems that do not have a "SMART" controller as defined in section I.C)

1. May only be done two days per week: Tuesday and Saturday (odd numbered addresses) or Wednesday and Sunday (even numbered addresses)
2. Irrigation shall only be conducted between the hours of 12:00 midnight and 9:00 a.m.
3. Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone. Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 30 minutes per zone.

C. Irrigation with systems equipped with a SMART controller

1. To qualify for this provision, the SMART controller must have met the minimum requirements of IA-SWAT protocol testing. Lists of climate-based and sensor-based controllers that have successfully completed the protocol testing can be found at: http://www.irrigation.org/Tested_Products.aspx
2. The property owner must register the SMART controller with the Borough of Glen Ridge.
3. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
 - a. The SMART controller must be programmed to irrigate between the hours of 12:00 midnight and 9:00 am;
 - b. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
 - c. The SMART controller programming data shall be posted at the controller;

d. The WaterSense Partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.

D. Irrigation systems programmed and monitored by an irrigation manager

1. The property owner must designate a qualified person who will be the irrigation manager and register that person with the Borough of Glen Ridge with defining qualifications.

2. The irrigation manager must be an EPA WaterSense Partner or show evidence of successfully completing one of the approved courses listed below:

a. Rutgers University Continuing Education Course, *Irrigation Systems: Scheduling*

b. Irrigation Association's online course, *Landscape Irrigation Scheduling*.

c. A comparable course offered by a recognized continuing education facility or professional association.

3. A property specific irrigation program shall be developed by the irrigation manager based on plant variety, soil type, exposure, slope, precipitation rate, and irrigation efficiency.

4. Weekly adjustments shall be made to the irrigation schedule based on current evapotranspiration (ET) rates or weather conditions.

5. If it is found that an irrigation manager does not follow any of the terms prescribed in this ordinance, they may be disqualified from acting as a property's irrigation manager.

E. All automatic irrigation systems:

1. Shall be equipped with an operational automatic rain sensor device, which disables the system when a predetermined amount of rainfall has occurred. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when $\frac{1}{4}$ inch of rain has fallen.

2. Any work performed on a system as a result of any inspection made by the homeowner or a professional must comply with the Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-3).

3. Flowers and shrubs irrigated with drip or micro irrigation may be watered as needed.

F. All new irrigation systems must comply with the following:

1. The system must be installed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.

2. New Jersey Irrigation Best Management Design Practices listed below:

a. designing a system that insures sufficient operating pressure at the sprinkler head;

b. dividing irrigated areas into hydro-zones of turf and plants with similar water requirements;

- c. creating zoning systems according to exposure;
- d. considering the soil type so the sprinkler irrigation precipitation rate is compatible with the soil infiltration rate or dividing the zone runtimes into multiple short cycles;
- e. providing separate control of sloped areas;
- f. preventing sprinkler heads from overthrowing onto driveways, roads, and sidewalks;
- g. providing for separate irrigation for parkway strips between curbs and sidewalks that minimizes overthrow onto walks, pavement, and other impervious surfaces;
- h. using pressure regulating technology as necessary to ensure sprinkler heads operate within the manufacturer's recommended range. The pressure regulation may be:
 - i. a pressure regulation device at the point of connection;
 - ii. pressure regulation at each remote-control valve;
 - iii. pressure regulation at the sprinkler head;
 - iv. a combination of the above.
- i. irrigating all flowers and shrubs with drip and/or micro-irrigation;
- j. including check valves in low sprinkler heads to prevent low-point drainage;
- k. having a pressure regulating device and wye strainer on each drip/micro control valve.

3. System must have a SMART controller capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system only to replenish the water as needed while minimizing excess water use.

- a. The SMART controller must be an EPA WaterSense labeled SMART controller and listed on their website http://www.epa.gov/watersense/product_search.html and select irrigation controllers from the drop-down menu.
- b. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
 - i. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
 - ii. The SMART controller programming data shall be posted at the controller;
 - iii. The WaterSense partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.

H. Upon the Declaration of Water Emergency by the Borough Administrator of the Borough of Glen Ridge additional restrictions may be imposed and shall supersede the restrictions in this ordinance.

I. State of New Jersey requirements shall supersede those identified in this Section when more stringent than those identified in this ordinance.

13.06.030. Violations

A. Violations include knowingly or recklessly watering or irrigating or permitting irrigation of lawn or landscape on owned, leased, or managed property that results in the following;

1. Watering using hose-end sprinklers during any form of precipitation;
2. Watering using automatic sprinklers or SMART systems after ½ of rainfall has fallen;
3. Irrigating on days or hours not permitted in this section;
4. Water leaking from any irrigation equipment;
5. Water puddling on landscape or impervious surfaces;
6. Water run-off from irrigated property;

B. Violations include any use of water contrary to the requirements of Pending/Critical or Critical water restrictions during periods that such restrictions are in effect upon declaration of the Borough Administrator of the Borough of Glen Ridge. Any exceptions to Pending/Critical or Critical water restrictions, such as for irrigation of new lawns or shrubs, cleaning cars or houses, filling swimming pools or other outdoor water usage, shall be determined by the Borough Administrator of the Borough of Glen Ridge.

C. Violators of these guidelines and requirements are subject to fines and penalties described in subsection 13.06.060 Penalties. In the event the violation occurs on leased property, the violation will be issued to the tenant.

13.06.040. Enforcement of Water Conservation Guidelines

The water use restrictions and automatic rain sensor requirement imposed pursuant to this section shall be enforced by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, regardless of the source of the water (public supply or private source), such authorized official shall issue a written warning and explain the penalties for a second and third offense, as provided in subsection IV. The local authorized official shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses who have been warned upon a first offense. The local authorized official is hereby empowered to write summons for the violation of the water use restrictions imposed pursuant to this section.

13.06.050. Water Emergencies

When Pending/Critical or Critical water restrictions are imposed by the Borough of Glen Ridge or Township of Montclair Water Bureau, the following applies:

A. Pending/Critical: Mandatory restriction of irrigation to the use of a hand-held hose on Tuesdays and Saturdays for properties with odd-numbered addresses and Wednesdays and Sundays for

properties with even-numbered addresses. No irrigation of any kind shall be allowed on Mondays, Thursdays, or Fridays.

B. Critical: Irrigation is prohibited at all days and times. Exceptions for irrigation using a hand held hose may be allowed under conditions prescribed by the Borough Administrator or the Montclair Water Bureau. C. Exception to the user restrictions shall be determined by the Administrator of the Borough of Glen Ridge.

13.06.060. Penalties

After a warning for a first offense in accordance with subsection 13.06.030 above, any person or business that thereafter violates the water use restrictions imposed pursuant to this section shall be subject to the penalty provisions stated in Chapter 1.08.

13.06.070. Exemptions

Restrictions in Chapter 13.06 above do not apply to the following:

A. Outdoor water use from rain water harvesting, gray water, or reclaimed water are exempt from the provisions of the ordinance. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.

B. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses are exempt from the provisions of the ordinance.

C. Watering of gardens established for growing vegetables.

D. Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.

E. Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting.

F. Visually supervised operation of an irrigation system by a person in compliance with the New Jersey Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-1) and at the minimum rate necessary in order to check system condition and effectiveness.

G. Government properties will follow the automatic sprinkler restrictions (2 days/week after 5pm and before 10am, 30 minutes duration per zone), but the 2 days will be during the work week.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Council of the Borough of Glen Ridge , in the County of Essex, State of New Jersey, held on November 25, 2019 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the December 9, 2019 at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 825 Bloomfield Avenue, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Michael J. Rohal

Borough Clerk