



THE MAYOR AND BOROUGH COUNCIL
of the
BOROUGH OF GLEN RIDGE
County of Essex
State of New Jersey

**BOROUGH OF GLEN RIDGE
ORDINANCE NO. 1726**

**AN ORDINANCE AMENDING
GLEN RIDGE CODE TITLE 13 PUBLIC SERVICES**

Be it enacted and ordained by the Mayor and Council of the Borough of Glen Ridge, in the County of Essex and State of New Jersey, as follows:

SECTION 1.

Title 3 – Public Services
Rescind the entire chapter

SECTION 2.

Replace Title 13 – Public Services
with the following:

Chapter 13.04 - WATER SERVICE SYSTEM

13.04.010 - Established.

There is established in the borough a department to be known as the water department, the same to be under the supervision, management and control of the mayor and borough council thereof.

(Ord. 213 § 1, 1912)

13.04.020 - Definitions.

Whenever in this chapter the words or terms named in quotation marks in this section shall be used, they shall be understood to mean, and shall have the meaning hereinbelow defined, unless otherwise specifically stated or unless some other meaning be obviously and clearly intended:

"Approved" means and refers to the approval of the borough or the superintendent. "Borough" means the mayor and council of the borough of Glen Ridge.

"Department" means the water department of the borough.

"Fixed rates" means the rates or prices to be charged for the use of water, based upon the uses or utilities in use and not measured by a water meter as hereinafter mentioned.

"Main" and its plural mean any pipes other than supply pipes and service pipes used for conveying water or distributing it in the borough.

"Meter rates" means the rates or prices to be charged for water based upon the quantity of water consumed as measured by a water meter or estimated in cases where no meter is used.

"Office" means the office of the water department in the borough.

"Owner" means any person, persons, firm or corporation actually owning any property or premises supplied or prospectively to be supplied with borough water or his or her duly authorized agent. In the absence of instructions from the owner or his or her agent to the contrary, the occupant of any property or premises will be held to be the agent of the owner, insofar as the owner's relation to the water department may be concerned with respect to water uses shall mean a single dwelling or apartment and existing services.

"Premises" means land occupied by one family only, together with the land connected therewith and such outbuildings as are used exclusively in connection therewith or a single room or building occupied for business or other purposes by one person, organization, association, firm or corporation.

"Service pipe" means the pipe extending from the curb line into privately owned land for supplying the premises with water. "Superintendent" means the superintendent of public works of the borough or his or her properly authorized representative.

"Supply pipe" means a pipe tapped into the main and extending thence to and including the curb cock or valve on the curb line of the street.

(Ord. 814 § 1, 1963; Ord. 213 § 2, 1912)

13.04.030 - Duty responsibility.

Officers and employees of the department will be held strictly responsible for the performance of the duties and powers delegated to them. They shall not vary from or exceed the instructions given or the powers conferred upon them by the borough or their superiors.

(Ord. 213 § 3, 1912)

~~13.4.40 — Appointment of employees Pay rates.~~

~~A. — The chief executive officer shall be the superintendent. The superintendent shall have the immediate control and management of the department. The superintendent and all employees of the department, except as hereinafter provided, shall be appointed by resolution of the mayor and council and the term of office, if any, of said superintendent and employees shall be specified in the resolution of appointment, or if not so specified, they shall hold their office or employment at the will of the mayor and council. The rate of pay of such superintendent and employees shall be fixed by resolution of the mayor and council subject to change at any time, after thirty days' notice.~~

~~B. — The superintendent shall appoint, subject to the approval of the mayor and council, such assistants, clerks, inspectors, foremen, and mechanics as may be required for the proper administration of the department. The superintendent may also employ without the specific approval of the mayor and council such mechanics, laborers and emergency help as may be necessary.~~

~~(Ord. 213 §§ 4, 5, 1912)~~

~~13.04.050 — Department employee conduct.~~

~~Unless otherwise directed by the mayor and council, the superintendent and all employees shall devote their whole time during hours prescribed for duty, diligently and loyally to the service of the department. They shall properly care for and preserve the property of the department and shall be held responsible for all such property under their control. Employees shall promptly notify their superiors or the superintendent of any defects, leaks, or injury in the mains, fixtures or attachments of the system or of any displacement or loss of tools and supplies. The superintendent shall report monthly as to the conditions and requirements of said department to the mayor and council.~~

~~(Ord. 213 § 6, 1912)~~

13.04.060 - Main change or extension- Petitions.

Extensions or changes in the street mains of the borough may be initiated by the mayor and council or by petition from property owners or citizens. Petitions for the extension of old or new mains shall be addressed to the mayor and council and made upon blank forms prepared by the department and the petitioners must subscribe to the conditions therein set forth. The mayor and council will thereupon consider the petition and advise the petitioners of its decision. The mayor and council may prescribe the terms and conditions upon which the petition will be granted and may require the written acceptance of guaranty of such terms and conditions by the petitioners. If the petition be granted the mayor and council will direct the superintendent to proceed as promptly as practicable with the work upon the terms and conditions named. Unless otherwise stipulated the work will be done at the expense of the department.

(Ord. 213 § 8, 1912)

13.04.070 - Tampering with water mains prohibited.

The water mains of the department are under the exclusive control of the borough and its authorized agents and employees.

All other persons are forbidden to disturb, tap, change, obstruct access to or interfere with them in any way.

(Ord. 213 § 9, 1912)

13.04.080 - Application for service.

An application for the introduction of borough water to private premises, or for the change of an existing supply, shall be made to the superintendent by the owner of the premises, or by his or her agent, thereunto authorized in writing. The application must be made upon the blank form furnished by the department therefor, and the applicant must subscribe to the conditions printed thereon. The application must be accompanied by the permit fee specified in Section 13.04.130. which will be returned if the application be not granted. Upon the receipt of such an application the superintendent will make or cause to be made an inspection of the

premises and unless the application be rejected for cause, will prepare or cause to be prepared an estimate of the cost of the work applied for and render a bill for the same to the owner of the premises, and upon the payment in full of such bill the work of making the proper connection with the premises will be proceeded with as promptly as practicable. No additional connections or alterations to existing connections will be made for the owner of any premises unless and until all charges of every nature due the department from such owner or charged against such premises are first paid.

(Ord. 213 § 10, 1912)

13.04.090 - Pipes-Required materials.

Supply pipes and service pipes shall be of such material and quality as the department may prescribe.

(Ord. 213 § 11, 1912)

13.4.100 - Pipes-Installation and maintenance.

A. Supply pipes and meters including curb cocks shall be put in only by the department. Service pipes through and including a compression stop on the street side of the meter shall be installed by **licensed** plumbers ~~licensed by the Glen Ridge board of health~~ after obtaining a permit from the department. Supply pipes and meters are under the exclusive control of the department and no person other than employees of the department or the parties authorized directly by the department shall construct, repair, or otherwise change or interfere with them in any way.

B. Service pipes through and including a compression stop on the street side of the meter are the responsibility of the property owner who shall contract with a licensed plumber to construct, repair, or otherwise change said service pipes. All service pipe installations, repairs or changes shall be done in accordance with this chapter and shall be under the supervision and inspection of the department.

(Ord. 858 § 1 (part), 1966: Ord. 213 § 12, 1912)

13.04.110 - Pipe freezing prevention.

Service pipes and all other pipes or fixtures placed underground must be placed at least four feet below the surface or finished grade of the ground to insure against freezing.

(Ord. 213 § 13, 1912)

13.04.120 - Stop and waste cocks.

In each building intended to be connected with the public water supply there shall be provided a stop and waste cock, placed as near the front basement or foundation wall as possible, but beyond the meter position and where easily accessible in order that water may be turned on and off and drained from the pipes in case of accident or in order to make necessary repairs. Such stops must be kept in good working condition, must be thoroughly protected from freezing and must be equal in strength and quality to the curb cock or valve set by the department. Provision shall be made for the convenient installation of the meter, in accordance with the standard plans of the department.

(Ord. 213 § 14, 1912)

13.4.130 - Permit fees-Requests for meters.

A. The permit fees for the use of borough water, and the installation or replacement of service pipes, also charges for tapping of mains and the installation or replacement of supply pipes from the main to the curb and installation of meters, shall be set from time to time by resolution of the governing body.

B. Supply pipes from the main to and including the curb cock shall be installed by the department at the expense of the property owner and maintained at the expense of the department, and a standard five-eighths inch meter shall be furnished and placed by the department and maintained at the expense of the department. However, should a property owner desire a tap and supply line of a greater size than the one originally installed, he or she shall pay for the new tap and supply line to and including the curb cock at the rates in existence at that time.

C. Service pipes to and including a compression stop on the street side of the meter are the property owner's responsibility as required in Section 13.04.100. However, should a leak develop in a service pipe and the owner makes no effort to have the service pipe repaired within twenty-four hours of notification from the department, the department shall shut off the water supply at the curb cock and have the necessary repairs and replacement made at the expense of the property owner.

D. Where a request is made for a larger meter than the standard five-eighths inch meter, the superintendent shall determine whether the request is justified and if he or she approves of the installation of a larger meter the added installation costs for the same shall be paid for by the property owner.

(Ord. 858 § 1, 1966: Ord. 724 § 1, 1957: Ord. 213 § 15, 1912)

13.04.140 - Use of water.

Borough water shall not be taken or used for any purpose other than for domestic use, or the supply of manufacturing, business or public buildings until a special permit shall have been issued therefor by the department.

(Ord. 213 § 16, 1912)

13.04.150 - Special use permit.

An application for a special permit to use borough water in the construction or repair of buildings or for any other construction or repair work shall be made to the superintendent upon the blank provided for the purpose by the department. The character of the work for which the water is to be used and the estimated quantities of work shall be set forth in said application and certified to by the owner of, or the contractor for, the work to be done. An estimate of the value of the water to be used at the established rates will then be prepared by the superintendent and a bill rendered for the same. Upon the payment of the bill in full, a permit will be issued by the department which permit must be posted in a conspicuous place on the premises or the locality where the work is to be done and must be so displayed until the work be completed or the water turned off. Water must not be turned on or used until the permit shall be posted as above required. In case it shall be discovered that the water has been turned on or used before the posting of the permit, the water will be turned off by the department, in which case it will not be turned on again until a fee **as specified in the borough's current fee schedule** has been paid to the department.

(Ord. 213 § 17, 1912)

13.04.160 - Misrepresentation of water use.

Should it appear that the applicant for water to be used in the construction or repair of buildings or other construction work has misrepresented the quantity of work to be done, the supply of water to the applicant shall be immediately shut off and shall not be turned on again until a true and revised estimate of the quantity of such work be submitted, and until the water for the additional work shall be paid for to the department, together with a fee **as specified in the borough's current fee schedule**.

(Ord. 213 § 18, 1912)

13.04.170 - Water for street sprinkling.

Water for sprinkling streets or highways or for the flushing of sewers shall be taken only from fire hydrants equipped for the purpose or from such special stand pipes or valves as may be provided for the purpose by the department, and then only by such persons as may be duly authorized or licensed by the department. **Vehicles** for street sprinkling under private ownership or control must have the name of the owner, the **license plate of the vehicle**, and the number of the permit issued therefor conspicuously painted or displayed thereon.

(Ord. 213 § 19, 1912)

13.04.180 - Fire hydrants.

Fire hydrants are provided for the sole purpose of extinguishing fires and are to be opened and used only by the water and fire departments of the borough or by such persons as may be specially authorized by the water department. **No person, firm or corporation shall in any manner obstruct or prevent free access to any fire hydrant or place or store temporarily or otherwise any object, material, snow, debris or structure of any kind within a distance of five feet of any fire hydrant.** Any such obstruction, when discovered, may be removed at once by the department at the expense of the person, firm or corporation responsible for the obstruction.

(Ord. 213 § 20, 1912)

13.4.190- Meter required.

A. On and after the day when this chapter takes effect each new service pipe put in service for supplying water for domestic or other purposes shall be equipped with a meter, and thereafter all charges for the use of water through such services shall be based upon the established meter rates.

B. The superintendent may, at any time after receiving the consent of the mayor and council, install a meter and charge meter rates on any service pipes not so equipped.

(Ord. 213 §§ 21, 22, 1912)

13.04.200 - Meter installation-Inspection.

In all cases where meters are to be installed an inspection of the premises will be made by the department to determine the size of meter required, its proper location, and the manner in which it shall be set up and protected. The decisions of the superintendent in regard to these matters shall be final.

(Ord. 213 § 23, 1912)

13.04.210 - Meter seals.

Meters may be sealed by the water department, and no one except an authorized employee of the department shall break or injure such seals. No person other than the authorized employees of the department shall change the location of, alter or interfere in any way with any meter.

(Ord. 213 § 24, 1912)

13.04.220 - Meters property of department.

Meters are, and shall remain, the property of the department and will be at all times under its control.

(Ord. 213 § 25, 1912)

13.4.230 - Installation and maintenance-Responsibility.

A. All necessary expenses of installing, maintaining and caring for meters will be borne by the department; provided, that where replacements, repairs, or adjustments of any meter are rendered necessary by the act, neglect or carelessness of the owner or occupant of any premises, any expense to the department caused thereby shall be charged against and collected from the owner of the premises.

B. The owner of any premises where a meter is installed will be held responsible for its care and protection from freezing and from injury or interference by any person or persons. In case of any injury to the meter, or in case of its stoppage or imperfect working, the owner shall give immediate notice to the office.

(Ord. 213 § 26, 1912)

13.04.240 - Water must pass through meter.

All borough water used on any premises where a meter is installed must pass through the meter. No by-pass or connection between the meter and the main shall be made or maintained.

(Ord. 213 § 27, 1912)

13.04.250 - Accuracy of meters-Testing.

The accuracy of the meter on any premises will be tested by the department upon written request of the owner who shall pay in advance a fee **as specified in the borough's current fee schedule**. If on such test the meter shall be found to register over three percent more water than actually passes through it, another meter will be substituted therefor and the fee **as specified in the borough's current fee schedule** will be repaid to the owner of the premises, and the superintendent may adjust the water bill for the current quarter in such manner as he or she may think fair and just.

(Ord. 213 § 28, 1912)

13.04.260 - Curb cocks.

When new service pipes are put into any premises the curb cock shall be left closed and will thereafter be opened by the department only upon the request of the owner, which request must be in writing if the department so requires. Under no circumstances shall curb cocks be opened or closed by any person not an authorized employee of the department, except that a plumber having a permit issued by the department for that purpose may open a curb cock to test his or her work. The holder of a permit to use the water for building or any such work or his or her agents shall not open or close curb cocks, or otherwise interfere with the same.

(Ord. 213 § 29, 1912)

13.04.270 - Billing for multi-tenant properties.

Where one property is occupied by two or more distinct families or where a business building is occupied by two or more firms or persons, each family and each business firm or person shall be considered as a separate premises, but a single water charge shall be made against the owner of the property at the usual time for the whole and said charge must be paid by the owner; and default in the payment of any part of this charge will subject the premises to the same penalties as are provided in regard to other overdue charges. The payment of a part of the whole charge by a tenant shall not invalidate or modify this rule.

(Ord. 213 § 30, 1912)

13.04.280 - Water service through department only.

Borough water shall be taken and used only through supply and service pipes established by or under the supervision of the department. No connection by which water may pass from one property to another shall exist even though the ownership of both properties may be the same, without the written consent and approval of the department.

(Ord. 213 § 31, 1912)

13.04.290 - Special construction requirements.

Owners of property desiring any unusual construction, alterations or attachments connected with the water supply must submit plans and specifications for the same to the superintendent for his/her inspection and approval or disapproval, and his/her determination as to whether the same are permissible, and the terms and conditions under which their use will be allowed, shall be final.

(Ord. 213 § 32, 1912)

13.04.300 - Freezing protection.

Water pipes likely to be exposed to freezing temperatures must be effectively protected from freezing.

(Ord. 213 § 33, 1912)

13.04.310 - Wasting water prohibited.

Excessive or unnecessary use or waste of water, whether caused by carelessness or by defective or leaky plumbing or fixtures, is strictly prohibited, even where the service is metered. For disregard of or repeated violation of this requirement the water may be turned off by the department.

(Ord. 213 § 34, 1912)

13.04.320 - Prohibited water turn on.

Where the water has been turned off by the department for any reason, no person shall turn it on again without the permission of the department. When this rule is violated the water may be turned off at the corporation cock at the main, in which case the owner shall, before it is again turned on, pay in advance the charge of the department therefor.

(Ord. 213 § 35, 1912)

13.04.330 - Water repairs in unoccupied houses.

In all cases where plumbing repairs are made in unoccupied houses, the plumber must on completion of his or her work leave the curb cock closed and if the plumber shall fail or neglect to so do he or she shall be liable for all damage occasioned thereby.

(Ord. 213 § 36, 1912)

13.04.340 - Blocking curb cock prohibited.

No person or persons shall obstruct or interfere with any curb cock, valve, meter or fixture belonging to the department by placing in, on, or about it, building materials, rubbish, soil, snow or other hindrances to easy and free access thereto.

(Ord. 213 § 37, 1912)

13.04.350 - Unoccupied premises-Water shut off.

Where premises are to be left unoccupied the water must be turned off at the stop and waste cock by the owner or tenant.

(Ord.213 § 38, 1912)

13.04.360 - Employees entering private premises-Badges.

The superintendent and employees of the department whose duty it may be to enter upon private premises to make inspections and examinations of the pipes, meters, fixtures or attachments used in connection with the borough water supply, will be provided with badges and such other credentials as the mayor and council may deem proper to identify them as authorized agents of the department. No employee of the department shall be entitled to enter upon any private premises, unless he carries and exhibits such badge and credentials.

(Ord. 213 § 39, 1912)

13.04.370 - Employee access to private premises.

The superintendent or any authorized employee of the department shall, upon the presentation of the badge, search warrant, and other credentials provided for in the next preceding section, have free access at all reasonable hours to any premises supplied with borough water, for the purpose of making any inspection thereof, including the examination of the entire water supply and plumbing system upon said premises in the case of an emergency. No person shall refuse to admit the superintendent and employees of the department to any premises for any such purpose in the case of an emergency. In case any authorized employee be refused admittance to any premises, or being admitted shall be hindered or prevented in making such examination, the superintendent may turn off the water from said premises, after giving twenty-four hours' notice to the owner or occupant of said premises.

(Ord. 1221 (part), 1993: Ord. 213 § 40, 1912)

13.04.380 - Nonemployees wearing badges prohibited.

No person, not an authorized officer or employee of the department, shall have, wear or exhibit any badge or credential of the department. It shall be the duty of each and every officer and employee of the department upon resignation or dismissal, forthwith to surrender and deliver to the department at the office all badges and credentials of the department.

(Ord. 213 § 41, 1912)

13.4.390 - Temporary vacancy of premises-Water shut off.

A. In case of the temporary vacancy of any premises the water will be turned off at the curb cock by the department upon the request in writing of the owner of the premises, and will be turned on again when requested in writing. Where the water is paid for at meter rates, the minimum charge for any quarter in which the vacancy occurs will be reduced in proportion to such vacancy, except as noted below, but no rebate will be allowed for a period of less than thirty successive days in any quarterly period. In no case will the charge for any period be reduced below one-half the prescribed minimum charge for such period. All claims for rebates to be valid must be made within six months after the date when vacancy ended.

B. Where metered premises are left unoccupied, with the water not turned off by the department, no rebate will be allowed for water registered by the meter that may leak or waste through the plumbing or fixtures.

(Ord. 213 § 42, 1912)

~~13.04.400 - Water charges calendar.~~

~~For the purpose of making and collecting charges for borough water used by consumers, the calendar year shall be subdivided and designated as follows: The year period shall begin on January 1st and end on December 31st; the quarterly periods shall begin on the first day of January, April, July and October, respectively, and shall extend to the beginning of the succeeding quarterly period.~~

(Ord. 213 § 43, 1912)

13.04.410 - Rates and charges.

As specified in the borough's current fee schedule

For meter sizes: 5/8-inch, 3/4-inch, 1-inch, 1 1/2 inch, two-inch:	
First six Hundred cubic feet	\$10.00
Over six hundred cubic feet	\$25.38 per 1,000 cubic feet

For all other meter sizes:	
Over six hundred cubic feet	\$24.00 per 1,000 cubic feet

B. ~~Minimum Quarterly Charges.~~

1. 5/8-inch meter	\$10.00
2. 3/4 inch meter	10.00
3. 1-inch meter	17.25
4. 1 1/2-inch meter	60.38
5. 2-inch meter	90.56
6. 2 1/2-inch meter	120.75
7. 3-inch Meter	207.00
8. 3 1/2-inch meter	276.00
9. 4-inch meter	345.00
10. 6-inch meter	420.00
11. Fire protection service (fixed per rate quarter):	
3-inch meter	34.50
4-inch meter	55.20
5-inch meter	69.00
6-inch meter	420.00
12. Water supply connection (main to curb valve) ins	900.00
13. Water Connection	
One and two-family dwelling	\$1,500 per unit
Three or more	1,200 per unit

dwelling units	
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C. Pavement replacement cost shall be borne by the property owner and the cost of same shall be determined by the type of pavement required.

(Ord. 1443 § 1, 2006; Ord. 1406, 2004; Ord. 1221 (part), 1993: Ord. 213 § 44, 1912)

13.04.420 - Delivery of bills.

The department will endeavor to render bills for water or other department charges, but the nonreceipt of a bill covering such charges will be no excuse for failure to pay or delay in paying the same.

(Ord. 213 § 46, 1912)

13.04.430 - Charges for partial periods.

Charges for water supplied at meter rates for any quarterly period or fractional part thereof will be dated on the last day of such period or on the day when the water is turned off, and are due and payable on the day when dated.

(Ord. 213 § 47, 1912)

13.04.440 - Payment of charges- Interest and penalties.

All charges for water must be paid within thirty days after they become due and payable. If not so paid, interest from the expiration of said period of thirty days, at the rate of eight percent on the first one thousand five hundred dollars of delinquency and eighteen percent on any delinquency over one thousand five hundred dollars, will be added to and collected with such charges, and the water may be turned off from any premises against which such charges have not been paid, together with the further sum of ten dollars provided notice has been given to the owner or resident of the date of termination of service and procedure by which such termination may be contested.

(Ord. 1221 (part), 1993: Ord. 213 § 48, 1912)

13.04.450 - Charges are liens against property.

Under the laws of the state of New Jersey all charges for water are liens upon the premises or property on account of which the charge is incurred until paid and satisfied.

(Ord. 213 § 49, 1912)

13.04.460 - All water charged for.

Where water is supplied at meter rates all the water registered by the meter will be charged for; no deductions will be made for leaks or alleged inaccuracy of the meter, except as provided in the next succeeding section.

(Ord. 213 § 50, 1912)

13.04.470 - Payment to collector of taxes only.

Payment of all water charges and other accounts due the department shall be made to the collector of taxes of the borough.

No officer or employee of the department is authorized to receive any money due or payable to the borough under any of the provisions of this chapter.

(Ord. 213 § 51, 1912)

13.04.480 - Emergency water shut off-Notice.

Should it become necessary to shut off the water from any section of the borough because of accidents or for the purpose of making changes or repairs, the department will endeavor to give timely notice to the consumers affected thereby, and will, so far as practicable, use its best efforts to prevent inconvenience and damage arising from any such cause, but failure to give such notice will not render the department responsible or liable for damages that may result therefrom, or from any other cause.

(Ord. 213 § 52, 1912)

13.04.490 - Water shut off for violation-Notice.

A. The superintendent and/or collector of water rents may at his or her discretion shut off the water from the premises of any owner or tenant guilty of violating any of the provisions of this chapter; but the superintendent shall give said owner or tenant at least twenty-four hours' notice before the water is shut off and notice of the procedures for contesting the termination.

(Ord.1221 (part),1993: Ord. 213 § 53, 1912)

13.04.500 - Notice regulations.

Whenever notice is required to be given hereunder, the same shall be given by enclosing a copy thereof in an envelope, with postage prepaid, addressed to the person, firm or corporation to be notified, at the post office or residence address of such person, firm or corporation, as the same appears on the books of the department, and mailing the same at the post office in the borough; and such notice, so given, shall be conclusively deemed to have been given at the time of such mailing.

(Ord. 213 § 54, 1912)

13.4.51 o - Violation- Penalty.

In addition to the penalty of cutting off the supply of water, as herein provided, the following penalties are hereby prescribed:

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in Section 1.08.010. general penalty, of this code.

~~B. Rescinded.~~

C. Upon refusal or neglect to pay any fine or penalty imposed any person so convicted may be imprisoned according to law.

(Ord. 213 § 55, 1912)

(Ord. No. 1584, 9-10-2012)

Chapter 13.08 - WATER SHORTAGE USE REGULATIONS

13.8.10 - Proclamation of emergency- Regulations.

Whenever the average amount of water in the reservoirs supplying the borough in any one month falls twenty percent below the average amount of water in storage for the corresponding months of the five-year period immediately preceding, and the superintendent of the water department, or such persons as may be in charge of the municipal water supply certifies to the mayor and council of the borough that an emergency exists in such water supply, the mayor may, for the protection of the health, safety and general welfare of the citizens and residents of the borough, proclaim the existence of a water emergency and prescribe regulations to:

- A. Prohibit the use of water from the municipal supply for any purpose not necessary to the health, safety and welfare to the public;
- B. Allocate and pro rate the available water supplies;
- C. Reduce consumption by users;
- D. Prevent waste for the period of duration of such emergency;
- E. Require alterations, repairs or installations of equipment or fixtures to prevent leakage or loss of water.

(Ord. 665 § 1, 1950)

13.08.020 - Publication.

The proclamation of the emergency shall be conclusive thereof upon all persons and users of water upon the filing of the same in the office of the borough clerk and the publication thereof at least once in a newspaper published in Essex County and circulated in the borough.

(Ord. 665 § 2, 1950)

13.08.030 - Addition regulations.

The regulations set forth in the proclamation, and any subsequent regulations made and published as aforesaid, upon filing in the office of the borough clerk shall become a part thereof the same as if specifically incorporated and set forth therein.

(Ord. 665 § 3, 1950)

13.08.040 - Compliance with provisions.

Every owner, lessee, tenant and occupant of any building or premises connected with and using water from the municipal water supply, and every person, firm and corporation, user thereof, shall upon the proclamation and promulgation of the regulations as aforesaid become bound thereby and shall conform thereto and comply therewith in the use of water and the maintenance of the water service connections and equipment for the purposes thereof.

(Ord. 665 § 4, 1950)

13.08.050 - Maintenance.

Every owner of buildings and premises connected with the municipal water supply shall maintain or cause to be maintained the water service pipes, fixtures and connections, in good order and repair, whereby there shall be no waste of water.

(Ord. 665 § 5, 1950)

13.08.060 - Repairs.

Every owner of any building or premises connected with the municipal water supply shall make or cause to be made necessary repairs to prevent the waste of water.

(Ord. 665 § 6, 1950)

13.08.070 - Notice of wasted water.

Every lessee, tenant and occupant of any building or premises connected with the municipal water supply shall immediately notify the owner, or his or her agent, of any defective water service pipes, fixtures or connections, whereby water is being wasted.

(Ord. 665 § 7, 1950)

13.8.80 - Defective fixtures.

A. Every lessee, tenant and occupant of any such building or premises shall notify the municipal water division or police department of any waste occurring by reason of defective water service pipes, fixtures or connections.

B. Every owner and water user shall, during the period of a water emergency, be on notice of any waste of water due to defective water service pipes, fixtures or connections, and of any regulations promulgated under the proclamation, and it shall be the duty of the owner to forthwith make or cause to be made repairs necessary to prevent such waste.

(Ord. 665 §§ 8, 10, 1950)

13.08.090 - Regulations binding.

All users of water from the municipal water supply, by and under contract, resolution, ordinance or statute, are bound by the provisions hereof and of the regulations promulgated under any proclamation.

(Ord. 665 § 11, 1950)

13.08.100 - Violation-Penalty.

~~Any person, persons, firm or corporation violating this chapter, or any section thereof, or any of the regulations provided for herein, shall, upon conviction, forfeit and pay a fine of not more than two hundred dollars, or imprisonment in the county jail for a term not exceeding thirty days, for each and every offense, and each day the violation exists after notice to abate the same is given shall constitute a separate violation.~~

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in Section 1.08.010. general penalty, of this code.

B. Upon refusal or neglect to pay any fine or penalty imposed any person so convicted may be imprisoned according to law.

(Ord. 665 § 13, 1950)

Chapter 13.12 - SEWER SERVICE SYSTEM

13.12.010 - Superintendent duties.

The superintendent of public works of the borough shall have charge of all public sewers and drains or conduits within the borough, and all connections therewith shall be constructed, made and kept in repair under the supervision of said superintendent of public works, subject only to revision by the mayor and council.

(Ord. 855 § 1, 1966)

~~13.12.020 - License.~~

~~Connections with the public sewers shall be made only by persons licensed by the superintendent of public works or his or her deputy to make such connections, and persons applying for such license to tap the public sewer and make such connections shall make the same at such time and under such conditions as the superintendent of public works or his or her deputy may direct. All such licenses shall be for a term of one year.~~

~~(Ord. 855 § 2, 1966)~~

~~13.12.030 - Permit, bond and insurance requirements.~~

~~Every person who shall be licensed as provided in Section 13.12.020 shall:~~

~~A. — Pay a fee of five dollars;~~

~~B. — Execute and deliver a bond to the borough in the sum of one thousand dollars to guarantee faithful compliance with the terms of this chapter and the directions of the superintendent of public works or his or her deputy and to guarantee his or her properly restoring the road, pavement and sidewalk taken up in the course of excavation to as good a condition as existed prior to the commencement of the work and to guarantee that he or she would maintain the same in good order and condition for a period of six months after completion of the work to the satisfaction of the superintendent of public works or his or her deputy; and~~

~~C. — Deliver to the superintendent of public works or his or her deputy evidence that said person carries public liability insurance in a minimum amount of one hundred thousand dollars for personal injury and fifty thousand dollars for property damage covering all damages and costs for any injury which may occur to persons, animals and property by reason of any neglect or carelessness on said person's part during the progress of said work or by reason of any injury or obstruction which such person may do or cause to be done to any of the sewers or drains of the borough in any manner whatsoever. Before said person shall proceed to open any of the streets, roads or avenues or other public places for sewer connections, said person shall obtain the permit provided for by this chapter. Said person shall replace and restore all streets and fillings or pavement over any such opening immediately upon completion of the connections, and in no event later than forty-eight hours after commencement of the work, to as good condition and with the same material as said person found it, and said person shall maintain the same, to the satisfaction of the superintendent of public works or his or her deputy, in the same condition for a period of six months after completion of the work.~~

~~(Ord. 855 § 3, 1966)~~

13.12.040 - Application- Forms.

Before any building or premises shall be connected with any sewer, the owner thereof or the owner's agent must obtain a permit issued by the superintendent of public works or his or deputy authorizing such connection to be made. Application for permits must be made on forms furnished by the superintendent of public works or his or her deputy, and each application made and permit granted shall be for the connection of one house or premises with the sewer, and only one connection shall be made for each permit granted.

(Ord. 855 § 4, 1966)

13.12.050 - Application- Required information.

Every application for a permit shall be signed by the owner of the building or premises, or by his or her authorized agent; shall state the name and address of the owner and applicant, describe the building sufficiently to identify the same, and specify by ground plan or otherwise the point or points in the wall of the building where it is desired that connection shall be made; shall state the name and business address of the contractor who is to do the work of making the connection, and no other person than the one named shall do the work under penalty of revocation of the permit.

(Ord. 855 § 5, 1966)

13.12.060 - Acting on application-Right of entry.

The superintendent of public works or his or her deputy shall act upon the applications for permits as early as possible in the order in which they are received, but in any event, every application shall be acted upon within two weeks from the day of its receipt and the superintendent of public works or his or her deputy may return

any application for correction in form or substance, or for any other reason satisfactory to him or her, may suspend action on or reject any application, and shall grant permits in proper cases. The agents and employees of the department of public works shall have the right to enter the buildings or premises mentioned in any application whenever necessary to examine the same or to supervise any work thereon.

(Ord. 855 § 6, 1966)

13.12.070 - Fees-Revocation-Special provisions.

Every permit shall be signed and issued by the superintendent of public works or his or her deputy. A fee **as specified in the borough's current fee schedule** to cover the cost of supervision and inspection of the work, shall be paid to the borough. The superintendent of public works or his or her deputy may for satisfactory cause revoke a permit. Every application and permit shall be subject to the regulations and conditions created and imposed by this chapter, and no applicant or person to whom a permit shall be granted, or his or her successors in interest, shall have the right to claim or demand any damages against the borough, its agents or servants, in consequence of refusal or revocation of a permit, or of delay in acting on any application, or because of the cutting off of a connection under the provisions of this chapter. A permit may, at the discretion of the superintendent of public works or his or her deputy, embrace special provisions and conditions, mode of use and similar details.

(Ord. 855 § 7, 1966)

13.12.80 - Prohibited connections.

- A. No permit shall be granted to connect any cesspool with a public sewer.
- B. No rainwater leader or pipe for the drainage of any cellar, or for the conveyance of stormwater or surface water shall be connected with a public sewer.

(Ord. 855 §§ 8, 9, 1966)

13.12.090 - Bringing connections into compliance.

If it should appear that any cesspool is connected with a public sewer or that any building or premises has been connected with a public sewer without a permit, or in violation of this chapter or in any manner different from that authorized by a permit or contrary to the direction of the superintendent of public works, then the superintendent of public works shall take all steps necessary to bring about a compliance with this chapter and the permit authorized hereunder; and, upon completion of such corrective measures, the owner of the premises shall be obligated to pay to the borough the sum of one hundred fifty dollars to cover the cost of said corrective steps taken by the borough.

(Ord. 855 § 10, 1966)

~~13.12.100 - House sewer Pipe requirements.~~

~~The house sewer, from a point five feet outside of the house to the street sewer, shall be extra heavy cast iron pipe with lead joints. The interior diameter shall be not less than four inches.~~

(Ord. 855 § 11, 1966)

13.12.110 - Owner responsibility.

It shall be the obligation of the owner of the premises where a sewer is installed to replace, at the owner's expense, all borough road pavement, curbing, sidewalk or driveway apron and driveway which are removed through installation of the sewer, all in accordance with applicable specifications, if any, on file with the superintendent of public works.

(Ord. 855 § 12, 1966)

13.12.120 - Installation requirements .

The cover of the "Y" branch of the sewer shall be carefully removed, so as not to injure the socket. The first length of pipe attached to the "Y" branch shall be curved and set so as to give a good fall into the sewer. The pipe shall be laid on an even grade of not less than one-fourth of an inch to the foot, unless by special permission of the superintendent of public works. Curved pipe shall be used for every deflection from a straight line of more than six inches in two feet. No person shall place or suffer to be placed any bulky substance in any sewer opening or house connection or private drains connected with any public main or lateral sewer or any substance having a tendency to obstruct the free flowage of said sewers or damage them in any way. The superintendent of public works shall have power to stop and prevent from discharging into the sewer

system any private sewer or drain through which substances are discharged which are liable to injure the sewers or obstruct the flow of the sewage.

(Ord. 855 § 13, 1966)

13.12.130 - Cooperation with board of health.

The superintendent of public works shall cooperate with the board of health whenever the public good or necessity may require.

(Ord. 855 § 14, 1966)

13.12.140 - Violation- Penalty.

~~Any person who shall violate any of the provisions of any of the foregoing sections shall be liable to a penalty, not to exceed twenty-five dollars and not less than five dollars for each offense. Each day or part thereof during which such violation shall continue shall constitute a separate offense. Any person who shall neglect or refuse to pay any fine imposed in accordance with the preceding section shall be subject to imprisonment in the county jail for a period not to exceed thirty days.~~

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in Section 1.08.010. general penalty, of this code.

B. Upon refusal or neglect to pay any fine or penalty imposed any person so convicted may be imprisoned according to law.

(Ord. 855 § 15, 1966)

Chapter 13.16 - SEWER SYSTEM PROTECTION REGULATIONS

13.16.010 - Definitions.

Whenever used in this chapter, the following terms shall have the following meanings:

"Floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"Natural outlets" means an outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater including the Passaic River or any of its tributaries.

"Sanitary sewer" means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

"Sanitary waste" means waste derived principally from dwellings, office buildings, and sanitary conveniences. When segregated from industrial wastes, may come from industrial plants or commercial enterprises.

"Sewage" means the spent water of a community. The preferred term is "wastewater." "Sewer" means a pipe or conduit that carries wastewater or drainage water.

"Storm drain" (sometimes called "storm sewer") means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

"Strength of waste" means a measurement of suspended solids, and/or Biochemical Oxygen Demand and/or any other parameter determined by the PVSC as a fair indicator of the relative use, other than volumetric, of PVSC facilities by industrial wastes.

(Ord. 1109 § 1, 1985)

13.16.020 - Unlawful discharge.

It shall be unlawful to discharge into any natural outlet within the municipality any wastewater or other polluted waters, except where suitable treatment has been provided and where a National Pollution Discharge Elimination System permit has been obtained from the appropriate governmental authority, where required.

(Ord. 1109 § 2, 1985)

13.16.030 - Prohibited connections.

No person shall make connection on roof downspouts, foundation drains, areaway drains, or other source of surface runoff or groundwater to a building sewer or drain, which in turn is connected directly or indirectly to a public sanitary sewer unless approved by the municipality for purpose of disposal of polluted surface drainage.

(Ord. 1109 § 3, 1985)

13.16.040 - Administrator.

The governing body shall appoint or designate some suitable person to administer this chapter.

(Ord. 1109 § 4, 1985)

13.16.050 - User requirements.

All users of the wastewater facilities shall comply with the requirements of the written rules and regulations of the PVSC which have been adopted and which from time to time shall have been adopted, which regulations shall become effective upon filing of certified copies in the office of the municipal clerk after the effective date of the ordinance codified in this chapter.

(Ord. 1109 § 5, 1985)

13.16.060 - Termination of permit.

Violations of any of the provisions of this chapter or any permit issued under the authority of this chapter may result in the termination of the permit and/or termination of the authority to discharge into the system.

(Ord. 1109 § 6, 1985)

13.16.070 - Violation-Penalty.

Any person violating any of the provisions of this chapter shall, upon conviction, be subject to a fine not to exceed five hundred dollars and/or imprisonment not to exceed ninety days, or both. Each and every day in which a violation of any provision of this chapter exists shall constitute a separate violation.

(Ord. 1109 § 7, 1985)

Chapter 13.20 - IMPROPER DISPOSAL OF WASTE

13.20.010 - Purpose.

A chapter to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the borough of Glen Ridge, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

(Ord. 1428 § 1, 2005)

13.20.020 - Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein, unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"Municipal separate storm sewer system (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the borough of Glen Ridge or other public body, and is designed and used for collecting and conveying stormwater. Note: in municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

"Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

(Ord. 1428 § 2, 2005)

13.20.030 - Prohibited conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the borough of Glen Ridge is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

(Ord. 1428 § 3, 2005)

13.20.040 - Exceptions to prohibition.

- A. Water line flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air conditioning condensate (excluding contact and noncontact cooling water).
- D. Irrigation water (including landscape and lawn watering runoff).
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- F. Residential car washing water, and residential swimming pool discharges.
- G. Sidewalk, driveway and street washwater.
- H. Flows from firefighting activities.
- I. Flows from rinsing of the following equipment with clean water:
 - 1. Beach maintenance equipment immediately following their use for their intended purposes;
 - 2. Equipment used in the application of salt and deicing materials immediately following salt and deicing material applications. Prior to rinsing with clean water, all residual salt and deicing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded; and
 - 3. Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

(Ord. 1428 § 4, 2005)

13.20.050 - Enforcement.

This chapter shall be enforced by the Glen Ridge police department and code enforcement official of the borough of Glen Ridge.

(Ord. 1428 § 5, 2005)

13.20.060 - Penalties.

Any person(s) who continues to be in violation of the provisions of this chapter, after being duly notified, shall be subject to a fine not to exceed one thousand dollars.

(Ord. 1428 § 6, 2005)

Chapter 13.24 - STORMWATER MANAGEMENT

13.24.010 - Scope and purpose.

A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction through nonstructural or low impact techniques shall be explored before relying on structural BMPs. Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose. It is the purpose of this chapter to establish minimum stormwater management requirements and controls for "major development," as defined in Section 13.24.020 of this chapter.

C. Applicability.

1. This chapter shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:
 - a. Nonresidential major developments; and
 - b. Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This chapter shall also be applicable to all major developments undertaken by the borough of Glen Ridge, Essex County.

D. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued for subdivisions and site plans, pursuant to this chapter are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law; the more restrictive provisions or higher standards shall control.

(Ord. 1427 § 1, 2005)

13.24.020 - Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA centers, cores or nodes" means those areas within boundaries accepted by the department pursuant to N. J.A.C. 7:8E-5B.

"CAFRA planning map" means the geographic depiction of the boundaries for Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N. J.A.C. 7:7E-5B.3.

"Compaction" means the increase in soil bulk density.

"Core" means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

"County review agency" means an agency designated by the county board of chosen freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency; or
2. A county water resource association created under N.J.S.A. 58:1.6A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

"Department" means the New Jersey Department of Environmental Protection.

"Design engineer" means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

"Designated center" means a state development and redevelopment plan center as designated by the state planning commission such as urban, regional, town, village or hamlet.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law; N.J.S.A. 40:550-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a state permit, any activity reviewed by the county agricultural board (CAB) and the state agricultural development committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A.4:1C-1 et seq.

"Drainage area" means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

"Empowerment neighborhood" means a neighborhood designated by the urban coordinating council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A. 55:19-69.

"Environmentally critical areas" means an area or feature which is of significant environmental value, including, but not limited to: stream corridors, natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the department's landscape project as approved by the department's endangered and nongame species program.

"Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

"Infiltration" means the process by which water seeps into the soil from precipitation.

"Major development" means any "development" that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

"Municipality" means any city, borough, town, township or village.

"Node" means an area designated by the state planning commission concentrating facilities and activities which are not organized in a compact form.

"Nutrient" means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

"Person" means any individual, corporation, company, partnership, firm, association, [insert name of municipality], or political subdivision of this state subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.5.A. 40:55D-1 et seq.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954 as amended (42 U.S.C. 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, groundwaters or surface waters of the state, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Recharge" means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

"Sediment" means solid material, mineral or organic; that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred. "Soil" means all unconsolidated mineral and organic material of any origin.

"State development and redevelopment plan metropolitan planning area (PAI)" means an area delineated on the state plan policy map and adopted by the state planning commission that is intended to be the focus for much of the state's future redevelopment and revitalization efforts.

"State plan policy map" means the geographic application of the state development and redevelopment plan's goals and statewide policies, and the official map of these goals and policies.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities; or conveyed by snow removal equipment.

"Stormwater management basin" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

"Stormwater management measure" means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non stormwater discharges into stormwater conveyances.

"Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

"Tidal flood hazard area" means a flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.

"Urban coordinating council empowerment neighborhood" means a neighborhood given priority access to state resources through the New Jersey Redevelopment Authority.

"Urban enterprise zones" means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N. J. S.A. 52:27H-60 et seq.

"Urban redevelopment area" means previously developed portions of areas:

1. Delineated on the state plan policy map (SPPM) as the metropolitan planning area (Pal), designated centers, cores or nodes;
2. Designated as CAFRA Centers; Cores or Nodes;
3. Designated as urban enterprise zones; and
4. Designated as urban coordinating council empowerment neighborhoods.

"Waters of the state" means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the state of New Jersey or subject to its jurisdiction.

"Wetlands" or "wetland" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

1. Design and Performance Standards for Stormwater Management Measures.
 - a. Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Section 13, 24.040 of this chapter. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
 - b. The standards in this chapter apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or water quality management plan adopted in accordance with department rules.

(Ord. 1427 § 2, 2005)

13.24.040- Stormwater management requirements for major development.

A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 13.24.010 of this chapter.

B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the department landscape project or natural heritage database established under N.J.S.A. 13:1B-15.147 through 15:150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).

C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of subsections F and G of this section:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of fourteen feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of subsections F and G of this section may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternative analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of subsections F and G of this section to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of subsections F and G of this section, existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under subsection (D)(3) of this section within the upstream drainage area of the receiving stream; that would provide additional opportunities to mitigate the requirements of subsections F and G of this section that were not achievable on-site.

E. Nonstructural Stormwater Management Strategies.

1. To the maximum extent practicable, the standards in subsections F and G of this section shall be met by incorporating nonstructural stormwater management strategies set forth at this subsection into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in subsection (E)(2) of this section into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.
2. Nonstructural stormwater management strategies incorporated into site design shall:
 - a. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
 - b. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
 - c. Maximize the protection of natural drainage features and vegetation;
 - d. Minimize the decrease in the "time of concentration" from pre-construction to post-construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
 - e. Minimize land disturbance including clearing and grading;
 - f. Minimize soil compaction;
 - g. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
 - h. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;
 - i. Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:
 - i. Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy subsection (E)(3) of this section,
 - ii. Site design features that help to prevent discharge of trash and debris from drainage systems,
 - iii. Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments, and
 - iv. When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:2439 et seq., and implementing rules.
3. Site design features identified under subsection (E)(2)(i)(ii) of this section shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this subsection, "solid and floatable materials" means sediment; debris, trash,

and other floating, suspended or settleable solids. For exemptions to this standard see subsection (E)(3)(c) of this section.

a. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996), or
- ii. A different grate; if each individual clear space in that grate has an area of no more than seven square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (noncurb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains.

Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas; bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors;

b. Whenever design engineers use a curb-opening inlet; the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven square inches, or be no greater than two inches across the smallest dimension;

c. This standard does not apply:

- i. Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards,
- ii. Where flows from the water quality design storm as specified in subsection (G)(1) of this section are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - (A) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities), or
 - (B) A bar screen having a bar spacing of 0.5 inches,
- iii. Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars, to the elevation of the water quality design storm as specified in subsection (G)(1) of this section, or
- iv. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

4. Any land area used as a nonstructural stormwater management measure to meet the performance standards in subsections F and G of this section shall be dedicated to a government agency, subjected to a conservation restriction filed with the appropriate county clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.

5. Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 13.24.070 of this chapter, or found on the department's website at www.njstormwater.org.

F. Erosion Control, Groundwater Recharge and Runoff Quantity Standards.

1. This subsection contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development:

a. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act; N.J.S.A. 4:24-39 et seq. and implementing rules.

b. The minimum design and performance standards for groundwater recharge are as follows:

i. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 13.24.050 of this chapter, either:

(A) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred percent of

- the average annual pre-construction groundwater recharge volume for the site, or
- (B) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the two-year storm is infiltrated;
- ii. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to subsection (F)(1)(b)(iii) of this section;
 - iii. The following types of stormwater shall not be recharged:
 - (A) Stormwater from Areas of High Pollutant Loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities, and
 - (B) Industrial Stormwater Exposed to "Source Material." "Source material" means any material(s) or machinery, located at an industrial facility, which is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater;
 - iv. The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or down gradient of the groundwater recharge area.
- c. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 13.24.050 of this chapter, complete one of the following:
- i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post- construction runoff hydrographs for the two, ten, and one-hundred-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the two, ten, and one-hundred-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the two, ten and one-hundred-year storm events are fifty, seventy-five and eighty percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site and which the proposed development or project is to be constructed. The percentages shall not be applied to post- construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or
 - iv. In tidal flood hazard areas; stormwater runoff quantity analysis in accordance with subsections (F) (1)(c)(I), (ii) and (iii) of this section shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.

2. Any application for a new agricultural development that meets the definition of major development at Section 13.24.020 of this chapter shall be submitted to the appropriate soil conservation district for review and approval in accordance with the requirements of this section and any applicable soil conservation district guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "agricultural development" means land uses normally associated with the production

of food, fiber and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

G. Stormwater Runoff Quality Standards.

1. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by eighty percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional one-fourth acre of impervious surface is being proposed on a development site. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

Table 1: Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Times (Minutes)	Cumulative Rainfall (inches)
0	0.0000	65	0.8917
5	0.0083	70	0.9917
10	0.0166	75	1.0500
12	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

2. For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in Section 13.24.070 of this chapter, or found on the department's website at www.njstormwater.org. The BMP Manual and other sources of technical guidance are listed in Section 13.24.070 of this chapter. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the department at the following address:

Division of Watershed Management, New Jersey Department of Environmental Protection, P.O. Box 418 Trenton, New Jersey; OSGZS-0418.

3. If more than one BMP in series is necessary to achieve the required eighty percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:
 $R = A + B - (r1XB)/100$ Where

R = total TSS percent load removal from application of both BMPs, and A = the TSS percent removal rate applicable to the first BMP

B = the TSS percent removal rate applicable to the second BMP

Table 2: TSS Removal Rates for BMPs

Best Management Practice	TSS Percent Removal Rate
Bioretention Systems	90

Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See Section 13.24.060 (C)
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

4. If there is more than one on-site drainage area, the eighty percent TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on-site in which case the removal rate can be demonstrated through a calculation using a weighted average.
5. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in subsections F and G of this section.
6. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in Section 13, 24.070 of this chapter.
7. In accordance with the definition of FWI at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FWI.
8. Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance; exceptional water supply significance; and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:
 - a. The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:
 - i. A three hundred-foot special water resource protection area shall be provided on each side of the waterway; measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession provided,
 - ii. Encroachment within the designated special water resource protection area under subsection (G)(8) (a)(i) of this section shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than one hundred fifty feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subsection shall be subject to review and approval by the department;
 - b. All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the standard for off-site stability in the "Standards for Soil Erosion and Sediment Control in New Jersey"; established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.;
 - c. If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the standard for off-site stability in the "Standards for Soil Erosion and Sediment Control in New Jersey"; established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:
 - i. Stabilization measures shall not be placed within one hundred fifty feet of the Category One waterway,
 - ii. Stormwater associated with discharges allowed by this section shall achieve a ninety-five percent TSS post-construction removal rate,
 - iii. Temperature shall be addressed to ensure no impact on the receiving waterway,

- iv. The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable,
 - v. A conceptual project design meeting shall be held with the appropriate department staff and soil conservation district staff to identify necessary stabilization measures, and
 - vi. All encroachments proposed under this section shall be subject to review and approval by the department;
- d. A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to subsection (G)(8) of this section has been approved by the department of environmental protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to subsection (G)(8) of this section shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in subsection (G)(8)(a)(i) of this section. In no case shall a stream corridor protection plan allow the reduction of the special water resource protection area to less than one hundred fifty feet as measured perpendicular to the waterway subject to this subsection;
- e. Subsection (G)(8) of this section does not apply to the construction of one individual single-family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.

(Ord. 1427 § 4, 2005)

13.24.050 - Calculation of stormwater runoff and groundwater recharge.

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:
 - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 - Hydrology and Technical Release 55 - Urban Hydrology for Small Watersheds, or
 - b. The rational method for peak flow and the modified rational method for hydrograph computations;
2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology at subsection (A)(1)(a) of this section and the rational and modified rational methods at subsection (A)(1)(b) of this section. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation);
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce pre- construction stormwater runoff rates and volumes;
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 - Urban Hydrology for Small Watersheds and other methods may be employed;
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

1. The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Groundwater Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at <http://www.state.nj.us/dep/njgs/>; or at New

Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427 Trenton, New Jersey, 08625-0427; (609) 984-6587.

(Ord. 1427 § 5, 2005)

13.24.060 - Standards for structural stormwater management measures.

- A. Standards for structural stormwater management measures are as follows:
1. Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas: slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).
 2. Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 13.24.080(D) of this chapter.
 3. Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that is consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
 4. At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.
 5. Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at Section 13.24.080 of this chapter.
- B. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by Section 13.24.040 of this chapter .
- C. Manufactured treatment devices may be used to meet the requirements of Section 13.24.040 of this chapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the department.

(Ord. 1427 § 6, 2005)

13.24.070 - Sources for technical guidance.

- A. Technical guidance for stormwater management measures can be found in the documents listed at subsections (A) (1) and (2) of this section, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420 Trenton, New Jersey, 08625; telephone (609) 777-1038.
1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips and wet ponds.
 2. The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.
- B. Additional technical guidance for stormwater management measures can be obtained from the following:
1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the soil conservation districts listed in N.J.A.C. 2:90-1.3(a) 4. The location, address, and telephone number of each soil conservation district may be obtained from the State Soil Conservation Committee, P.O. Box 330 Trenton, New Jersey, 08625; (609) 292-5540;
 2. The Rutgers Cooperative Extension Service, 732-932-9306; and
 3. The soil conservation districts listed in N.J.A.C. 2:90-1.3(a) 4. The location, address, and telephone number of each soil conservation district may be obtained from the State Soil Conservation Committee, P.O. Box 330 Trenton, New Jersey, 08625; (609) 292-5540.

(Ord. 1427 § 7, 2005)

13.24.080 - Safety standards for stormwater management basins.

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.

Note: The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management basins. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins to be retrofitted to meet one or more of the safety standards in subsections (8)(1), (8)(2) and (8) (3) of this section for trash racks, overflow grates, and escape provisions at outlet structures.

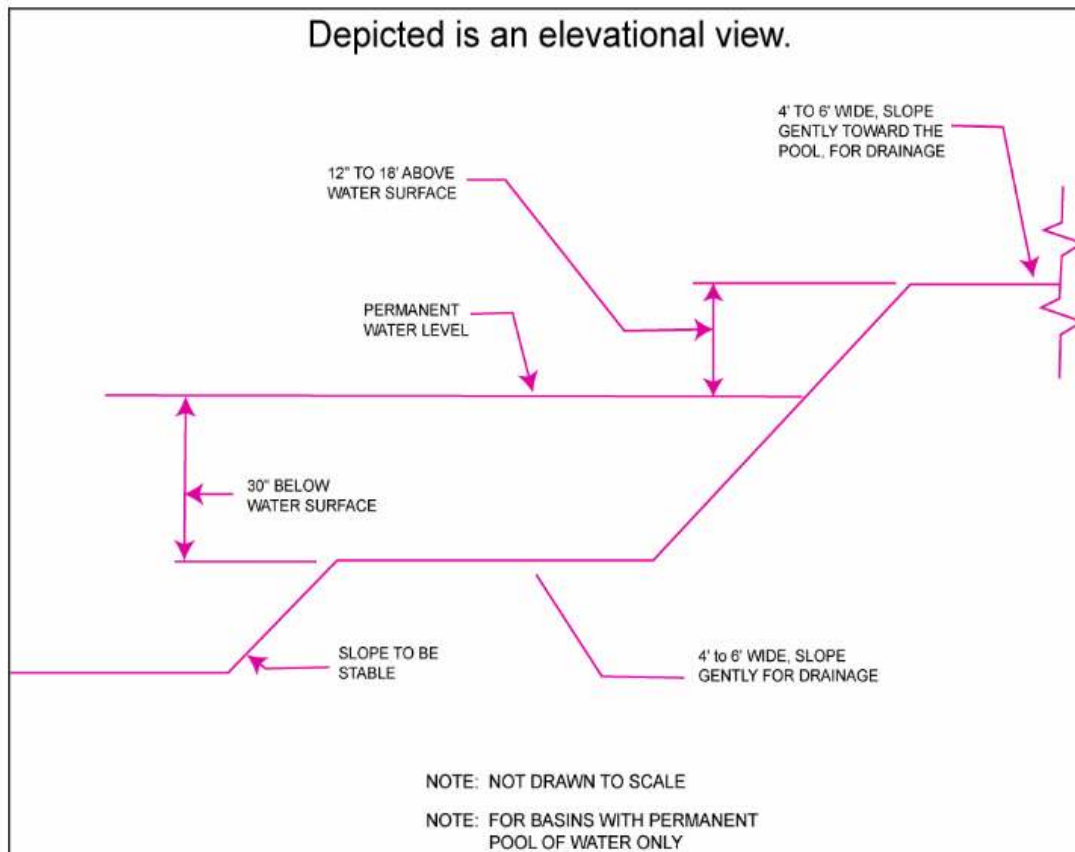
B. Requirements for Trash Racks, Overflow Grates and Escape Provisions.

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - a. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - c. The average velocity of flow through a clean trash rack is not to exceed two and one-half feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack;
 - d. The trash rack shall be constructed and installed to be rigid; durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of three hundred lbs/ft.. sq.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance;
 - b. The overflow grate spacing shall be no less than two inches across the smallest dimension;
 - c. The overflow grate shall be constructed and installed to be rigid; durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of three hundred lbs./ft. sq.
3. For purposes of this subsection, escape provisions means the permanent installation of ladders, steps, rungs; or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:
 - a. If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in subsection C of this section a freestanding outlet structure may be exempted from this requirement;
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See subsection D of this section for an illustration of safety ledges in a stormwater management basin;
 - c. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

C. Variance or Exemption from Safety Standards.

1. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county or department) that the variance or exemption will not constitute a threat to public safety.

D. Illustration of Safety Ledges in a New Stormwater Management Basin.



Depicted is an elevational view

For basins with permanent pool of water only. (Ord. 1427 § 8, 2005)

13.24.090 - Requirements for a site development stormwater plan.

A. Submission of Site Development Stormwater Plan.

1. Whenever an applicant seeks municipal approval of a development subject to this chapter, the applicant shall submit all of the required components of the checklist for the site development stormwater plan at subsection C of this section as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this chapter.
3. The applicant shall submit (specify number) copies of the materials listed in the checklist for site development stormwater plans in accordance with subsection C of this section.

B. Site Development Stormwater Plan Approval. The applicant's site development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the planning and/or zoning board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this chapter.

C. Checklist Requirements. The following information shall be required:

1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of two hundred feet beyond the limits of the proposed development, at a scale of one inch equals two hundred feet or greater; showing two-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and floodplains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing manmade structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
2. Environmental Site Analysis. A written and graphic description of the natural and manmade features of the site and its environs. This description should include a discussion of soil conditions; slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
3. Project Description and Site Plan(s). A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads; parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater

- elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.
4. Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of Sections 13.24.030 through 13.24.060 of this chapter are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
 5. Stormwater Management Facilities Map. The following information illustrated on a map of the same scale as the topographic base map, shall be included:
 - a. Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater;
 - b. Details of all stormwater management facility designs, during and after construction; including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
 6. Calculations.
 - a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 13.24.040 of this chapter.
 - b. When the proposed stormwater management control measure (e.g., infiltration basins) depends on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
 7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 13,24.100 of this chapter.
 8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this chapter may, in consultation with the municipal engineer, waive submission of any of the requirements in subsections (C)(1) through (C)(6) of this section when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

(Ord. 1427 § 9, 2005)

13.24.100 - Maintenance and repair.

- A. Applicability.
 1. Projects subject to review as in Section 13.24.010(C) of this chapter shall comply with the requirements of Sections 13.24.100(8) and (C).
- B. General Maintenance.
 1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
 2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
 3. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
 4. If the person responsible for maintenance identified under subsection (8)(2) of this section is not a public agency, the maintenance plan and any future revisions based on subsection (8)(7) of this section shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
 5. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation and repair or replacement of nonvegetated linings.
 6. The person responsible for maintenance identified under subsection (8)(2) of this section shall maintain a detailed log of all preventative and corrective maintenance for the structural

stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.

7. The person responsible for maintenance identified under subsection (8)(2) of this section shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
8. The person responsible for maintenance identified under subsection (8)(2) of this section shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by subsections (8)(6) and (8)(7) of this section.
9. The requirements of subsections (8)(3) and (8)(4) of this section do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.

(Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:550-53. Guidelines for developing a maintenance and inspection program are provided in the New Jersey Stormwater Best Management Practices Manual and the NJDEP Ocean County Demonstration Study, Stormwater Management Facilities Maintenance Manual, dated June 1989 available from the NJDEP, Watershed Management Program.)

10. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen days to affect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his or her designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or county may immediately proceed to do so and shall bill the cost thereof to the responsible person.
- B. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

(Ord. 1427 § 10, 2005)

13.24.110 - Penalties.

~~Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this chapter shall be subject to the following penalties: shall for each and every violation of this title for each and every day that such violation continues, be subject to a fine of not more than one thousand dollars.~~

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in Section 1.08.010. general penalty, of this code.

B. Upon refusal or neglect to pay any fine or penalty imposed any person so convicted may be imprisoned according to law.

(Ord. 1427 § 11, 2005)

13.24.120 - Illicit connection.

A. Purpose. A section to prohibit illicit connections to the municipal separate storm sewer(s) operated by the borough of Glen Ridge, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

B. Definitions. For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meaning stated herein, unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A- 1.2.

"Domestic sewage" means waste and wastewater from humans or household operations.

"Illicit connection" means any physical or nonphysical connection that discharges domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the borough of Glen Ridge, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

"Industrial waste" means nondomestic waste, including, but not limited to, those pollutants regulated under Section 307(a),(b), or (c) of the Federal Clean Water Act (33 U.S.C. 1317 (a), (b), or (c).

"Municipal separate storm sewer system (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the borough of Glen Ridge or other public body, and is designed and used for collecting and conveying stormwater. Note: in municipalities with combined sewer systems, add the following:"MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."

"NJPDES permit" means a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

"Noncontract cooling water" means water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Noncontact cooling water may, however, contain algacides, or biocides to control fouling of equipment such as heat exchanges, and/or corrosion inhibitors.

"Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

"Process wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.

"Stormwater" means water resulting from precipitation {including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage for drainage facilities, or is conveyed by snow removal equipment.

C. Prohibited Conduct. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the borough of Glen Ridge and domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).

D. Enforcement. The ordinance codified in this chapter shall be enforced by the Glen Ridge police department and the construction official of the borough of Glen Ridge.

E. Penalties. ~~Any person(s) who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed one thousand dollars.~~

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in Section 1.08.010. general penalty, of this code.

B. Upon refusal or neglect to pay any fine or penalty imposed any person so convicted may be imprisoned according to law.

(Ord. 1433 §§ 1-5, 2005)

SECTION 3. Nothing in this Chapter shall be construed to abrogate or impair the power of the Borough of Glen Ridge or any officer or department to enforce any provisions of its charter, or any other provisions of its Code or regulations promulgated thereunder, nor to prevent or punish violations thereof, and the powers conferred by this Chapter shall be in addition and supplemental to the powers conferred upon the Borough by any other law or provision of the Glen Ridge Code.

SECTION 4. If any clause, sentence, subdivision, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section, or part thereof, directly involved in the controversy in which said judgment shall have been rendered.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

Ordinance Adopted: December 9, 2019

ATTEST:

Michael J. Rohal
Borough Clerk

Stuart K. Patrick
Mayor