

**PILESGROVE TOWNSHIP
ORDINANCE NO. 23-012
AN ORDINANCE AMENDING
PILESGROVE TOWNSHIP CODE CHAPTER 145.34.1 "STORMWATER MANAGEMENT"**

BE IT ORDAINED by the Township Committee of the Township of Pilesgrove that the following amendments be made to Chapter 145.34.1, Stormwater Management, of the Code of the Township of Pilesgrove:

Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Pilesgrove Township so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

K. Titled definitions amended to include the following definitions:

Municipal separate storm sewer system (MS4)— 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 Pilesgrove Township or other public body, and is designed and used for collecting and conveying stormwater.

Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

N. This section is amended to read as follows: Shall be replaced by making the following changes:

Private Retrofitting

- a. No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes) resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:
 1. Already meets the design standard below to control passage of solid and floatable materials; or
 2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

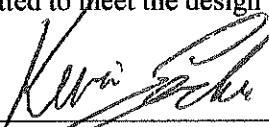
b. Design Standard:

Storm drain inlets identified above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. 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:

1. 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
2. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) 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 (non-curb-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.

3. 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 (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
4. This standard does not apply:
 - a. Where the municipal engineer agrees 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;
 - b. Where flows 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:
 1. 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
 2. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
 - d. 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.
- O. This section is amended to read as follows: **Effective date.** This section shall take effect upon the approval by the county review agency, or 60 days after submission to the county review agency if it fails to act, and following filing with the Salem County Planning Board.
- P. This section is amended to read **Severability.** If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this section shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this section.
- Q. **Enforcement.** This ordinance shall be enforced by the **Pilesgrove Township Engineer.**
- R. **Penalties** Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed **\$200.00** for each storm drain inlet that is not retrofitted to meet the design standard.


Kevin Eachus, Mayor

ATTEST:


Melissa Fackler, Clerk

September 12, 2023

Notice is hereby given that the foregoing proposed Ordinance was introduced by the Township Committee of the Township of Pilesgrove at a meeting held on August 1, 2023 and will be considered for final passage after a public hearing at a meeting to be held by the Township Committee of Pilesgrove Township at the Pilesgrove Township Municipal Building, 1180 Route 40, Pilesgrove, NJ 08098 on September 12, 2023 at 7:00 PM.

CERTIFICATION

I hereby certify this to be a true copy of an Ordinance adopted by the Township Committee of the Township of Pilesgrove after second reading and a public hearing held the 12th day of September, 2023.

Melissa Fackler, Clerk

