

TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY

ORDINANCE #2010-6

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 237 THE CODE OF THE
TOWNSHIP OF WATERFORD ENTITLED "STORMWATER MANAGEMENT"
REGARDING "PRIVATE STORM DRAIN INLET RETROFITTING"

SECTION I. 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 Waterford Township so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, 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.

- a. 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 [insert name of municipality] 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."
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. 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.
- d. 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.

SECTION III. Prohibited Conduct:

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 V below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section IV 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. For exemptions to this standard see Section V.3 below.

1. 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:
 - a. 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
 - b. 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.

2. 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.
3. 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:
 - i. 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
 - ii. 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.

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department and/or other Municipal Officials of Waterford Township.

SECTION VI. 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 \$500.00 or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such defendant shall be convicted for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Virginia L. Chandler
Virginia L. Chandler
Township Clerk

Maryann Merlino
Maryann Merlino
Mayor

Introduced: May 26, 2010

Hearing: June 23, 2010

Adopted: June 23, 2010

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Waterford at a regular meeting held on June 23, 2010.

Virginia L. Chandler
Virginia L. Chandler
Township Clerk

ORDINANCE NUMBER 2010-6

NOTICE OF PENDING ORDINANCE

THE ORDINANCE PUBLISHED HERewith WAS INTRODUCED AND PASSED UPON FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WATERFORD IN THE COUNTY OF CAMDEN, NEW JERSEY HELD ON MAY 26, 2010. IT WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER PUBLIC HEARING THEREON, AT A MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE MUNICIPAL BUILDING, 2131 AUBURN AVENUE, ATCO, NEW JERSEY, ON JUNE 23, 2010 BEGINNING AT 7:30 PM. DURING THE WEEK PRIOR TO AND UP TO AND INCLUDING THE DATE OF SUCH MEETING, COPIES OF SAID ORDINANCE WILL BE MADE AVAILABLE AT THE CLERK'S OFFICE IN SAID MUNICIPAL BUILDING TO THE MEMBERS OF THE GENERAL PUBLIC WHO SHALL REQUEST SAME.

VIRGINIA L. CHANDLER, RMC
TOWNSHIP CLERK
TOWNSHIP OF WATERFORD

TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY

ORDINANCE #2010-6

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 237 THE CODE OF THE
TOWNSHIP OF WATERFORD ENTITLED "STORMWATER MANAGEMENT"
REGARDING "PRIVATE STORM DRAIN INLET RETROFITTING"

Notice is hereby given that the foregoing ordinance was duly adopted by the Township Committee of the Township of Waterford after final reading and public hearing at a Meeting of the Township Committee held on June 23, 2010 in the Municipal Building, 2131 Auburn Avenue, Atco, New Jersey.

VIRGINIA L. CHANDLER, RMC
TOWNSHIP CLERK
TOWNSHIP OF WATERFORD

State of New Jersey } ss.
County of Camden,

Tracy Gillespie being duly sworn, according to law, doth depose and says that she is the advertising director of the Record Breeze, a newspaper published in the County of Camden within the State of New Jersey, on Thursday of each week and that certain Notice of which attached is a true copy, has been published in said newspaper on the following dates: 7/1/2010

Sworn and subscribed to before me

this 5th day of, July
A.D., 2010

Susan Levers
.....
NOTARY PUBLIC

Tracy Gillespie
.....

SUSAN LEVERS
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 7/18/10

TOWNSHIP OF WATERFORD
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TOWNSHIP OF WATERFORD
ENTITLED "STORMWATER
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STORM DRAIN INLET
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adopted by the Township
Committee of the Township of
Waterford after final reading and
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June 23, 2010 in the Municipal
Building, 2131 Auburn Avenue,
Atco, New Jersey.
VIRGINIA L. CHANDLER, RMC
TOWNSHIP CLERK
TOWNSHIP OF WATERFORD
Ptr. Fee: \$17.75
7/1/2010-1t

State of New Jersey } ss.
County of Camden,

Tracy Gillespie being duly sworn, according to law, doth depose and says that she is the advertising director of the Record Breeze, a newspaper published in the County of Camden within the State of New Jersey, on Thursday of each week and that certain Notice of which attached is a true copy, has been published in said newspaper on the following dates: 6/3/2010

Sworn and subscribed to before me
this 3rd day of,
June A.D., 2010

Susan Levert
.....
NOTARY PUBLIC

Tracy Gillespie

SUSAN LEVERT
NOTARY PUBLIC STATE OF NEW JERSEY
MY COMMISSION EXPIRES 7/18/10

Waterford Township so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

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b. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

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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 V below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section IV above

parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. 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.

3. This standard does not apply:

a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practically 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:

i. 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

ii. 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.

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department and/or other Municipal Officials of Waterford Township.

SECTION VI. 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 \$500.00 or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such defendant shall be convicted for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect



ENVIRONMENTAL RESOLUTIONS, INC.
ENGINEERS, SCIENTISTS & PLANNERS
525 FELLOWSHIP ROAD, SUITE 300, MT. LAUREL, NEW JERSEY 08054-3415
TEL 856-235-7170 FAX 856-273-9239 mail@erinj.com

Christopher J. Noll, PE, CME, PP, President, CEO
Barbara J. Fegley, AICP, PP, Sec/Treas, Sr. VP
Nancy W. Jamanow, PE, CME, PP, VP

Kevin Becica, PE, CME, PP
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John L. Scott, Jr., PLS
Christopher M. Trebisky, PE
Patrick S. Vitarelli, PLS, PP
Charles L. Walton, Jr., PE, PP, PLS

September 4, 2009
#46059 00

Re: Waterford Township
Adoption of Ordinance required by
New Jersey Pollutant Discharge Elimination System
Tier A MS4 Permit
NJPES # NJG 0151017
PI ID #167218

Ms. Virginia L. Chandler, Clerk
Waterford Township
2131 Auburn Ave
Atco, 08004

Dear Ms. Chandler:

Attached please find the following: the Refuse Container/Dumpster Ordinance, and the Private Storm Drain Inlet Retrofitting Ordinance. These two ordinances are required as part of the Waterford Township Tier A Municipal Stormwater MS4 Permit and must be adopted by September 1, 2010.

The Refuse Container/Dumpster Ordinance will require that all dumpster and other refuse containers that are outdoors or exposed to stormwater must be covered at all times. This will prohibit the spilling, dumping, leaking or otherwise discharge of liquids, semi-liquids, or solids from the containers. The ordinance excludes any temporary demolition containers, refuse containers permitted under a valid NJPDES permit, litter receptacles, individual homeowner trash and recycling containers, and containers that hold large bulky items.


The Private Storm Drain Inlet Retrofitting Ordinance requires retrofitting of existing storm drain inlets to meet the minimum opening requirements. Inlets must be retrofit if they are in direct contact with repaving, repairing, reconstruction, resurfacing, or alterations of facilities on property not owned or operated by the municipality. This includes top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen. The inlet retrofit requirement does not apply to the repair of individual potholes or repairs at individual single family homes.

Prior to the adoption of the attached ordinance, the items noted in bold on the attached ordinances must be addressed:

- The Section numbers
- The municipal departments responsible for enforcement
- The penalty amount

Please do not hesitate to contact me if you have any questions.

Sincerely,


Christopher J. Noll, PE, CME, PP, President
Township Engineer's Office

CJN/jn

cc Larry Ruocco, Township Administrator
John P. Maroccia, Attorney
Victor Pangia, Stormwater Coordinator
Wendy Carducci, Planning & Zoning
46059 00_Ordinance

Ginny Chandler

From: Kevin Becica [kbecica@erinj.com]
Sent: Wednesday, May 19, 2010 6:54 PM
To: Ginny Chandler; John Philip Maroccia Esq.
Cc: Lawrence Ruocco
Subject: RE: Stormwater

Ginny,
Your revisions are consistent with the other stormwater ordinances that have been adopted and appear acceptable to me.

The Planning and Zoning Board will ensure that the storm drains are retrofit on private property that have site plans that get approval before the boards and then get inspected. The retrofit of storm drains when a private owner repaves a parking lot will most likely fall to the Zoning officer which meets the category of "other Municipal Official".

Thanks,
Kevin

From: Ginny Chandler [mailto:ginny.chandler@waterfordtwp.org]
Sent: Wednesday, May 19, 2010 4:11 PM
To: kbecica@erinj.com; jplmlaw1950@comcast.net
Cc: 'Lawrence Ruocco'
Subject: Stormwater
Importance: High

Hi Everyone:
Please review the attached two ordinances that were received from Environmental Resolutions, Inc. and that I have titled and completed the blanks regarding fines and enforcement and advise.
Thank you and have a nice day.
Ginny

Ginny Chandler

From: Ginny Chandler [ginny.chandler@waterfordtwp.org]
Sent: Thursday, June 24, 2010 8:44 AM
To: 'Wendy Parducci'
Subject: FW: Adoption of Ordinance #2010-5 and Adoption of Ordinance #2010-6
Importance: High
Attachments: ADOPTION NOTICE 2010-5.doc; ADOPTION NOTICE 2010-6.doc

Hi Wendy:
Copy of signed Ordinances in your mail box.
Ginny

From: Ginny Chandler [mailto:ginny.chandler@waterfordtwp.org]
Sent: Thursday, June 24, 2010 8:39 AM
To: 'sjlegals'
Cc: 'Lawrence Ruocco'; 'Chris Noll'; 'Kevin Becica'
Subject: Adoption of Ordinance #2010-5 and Adoption of Ordinance #2010-6
Importance: High

Hi Elaine:
Please place the attached Notice of Adoption of Ordinance #2010-5 and Notice of Adoption of Ordinance #2010-6 in your Thursday, July 1, 2010 edition of the Record Breeze Newspaper. Both the Ordinances are regarding Stormwater Management.
Thank you and have a nice day.
Ginny