

Ordinance No.: 2010-013  
Introduction Date: *May* April 11, 2010  
Hearing Date: May 25, 2010  
Passage Date: May, 2010

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2010-013**

**AN ORDINANCE AMENDING CHAPTER 84A,  
STORMWATER MANAGEMENT, OF THE CODE OF  
THE BOROUGH OF PARK RIDGE, NEW JERSEY**

WHEREAS, N.J.A.C. 7:14A-25 requires all New Jersey Municipalities to have in place a Municipal Stormwater Management Plan including the issuance of Municipal Stormwater Permit; and

WHEREAS, Borough of Park Ridge's Permit is valid through March 31, 2014; and

WHEREAS, the renewal of said Permit contains certain conditions which include that certain ordinances be adopted by September 1, 2010 including one which requires the retrofitting of private storm drain inlets.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 84A, Stormwater Management, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

**SECTION ONE**

**84A-11. Private Storm Drain Inlet Retrofitting**

**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 Borough of Park Ridge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**84A-12. Definitions.**

For the purpose of Section 84A-11 of the within 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 Borough of Park Ridge or other public body, and is designed and used for collecting and conveying stormwater.

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.

**84A-13. 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 84A-14 below prior to the completion of the project.

#### **84A-14. Design Standard.**

Storm drain inlets identified in Section 84A-13 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 subsection (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) square inches, or be no greater than two (2) inches across the smallest dimension.
3. This standard does not apply:
  - a. Where the Borough 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.

#### **84A-15. Enforcement.**

This ordinance shall be enforced by the Zoning Officer of the Borough of Park Ridge. The Zoning Officer shall require a permit application and fee in accordance with the building subcode fees set forth in Section 50-2(C) (i) of the Borough Code and an engineering escrow in an amount not to exceed \$1,500 for review by the Borough Engineer. In exceptional circumstances, the Zoning Officer may require additional escrows for engineering review based upon the circumstances of the addition or development.

#### **84A-16. Penalties.**

For violation of this chapter there shall be a fine of \$500 for the first offense; \$750 for the second offense and \$1,000 for each subsequent offense. Every day a violation of this chapter occurs shall be a separate and distinct offense. In addition to fines, a court of competent jurisdiction may require implementation of any remedial measures recommended by the Borough Engineer to correct the violations of this chapter.

#### **SECTION TWO**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

#### **SECTION THREE**



If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid.

**SECTION FOUR**

This ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

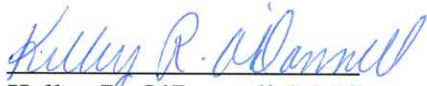
Adopted 05/25/10 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Kane			✓			
Maughan			✓			
Viola			✓			
Maguire	✓		✓			
Hopper			✓			
Misciagna		✓	✓			

APPROVED:

  
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DONALD J. RUSCHMAN, MAYOR

Attest:

  
Kelley R. O'Donnell, RMC  
Borough Clerk