

AN ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN
AMENDING CHAPTER 256, SEWERS AND DRAINAGE SYSTEMS
TO REQUIRE RETROFITTING OF PRIVATE STORM DRAIN INLETS

WHEREAS, the Township of Pennsauken is authorized to discharge stormwater to surface water and groundwater in accordance with the Tier A Municipal Stormwater General Permit issued by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the NJDEP now requires that all Tier A municipalities adopt and enforce an ordinance which requires the retrofitting of storm drain inlets on property not owned or operated by the municipality when such inlets are in contact with repaving, reconstruction, or other alteration activity.

THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Pennsauken, in the County of Camden and State of New Jersey, that the Code of the Township of Pennsauken, Chapter 256, Sewers and Drainage Systems, is hereby amended as follows:

Add new ARTICLE IV, Retrofitting of Private Storm Drain Inlets

Add new Section 256-12. Definitions.

For the purpose of this Article, certain words and phrases are defined as follows:

NJDOT – New Jersey Department of Transportation.

PERSON – Any individual, corporation, company, association, firm, or political subdivision of the State of New Jersey subject to municipal jurisdiction.

STORM DRAIN INLET – an opening to provide for passage of stormwater runoff into a storm sewer, including, but not limited to, inlet grate, curb-opening inlet, combination inlet (grate with a curb-opening), slotted drain, trench grate, or grate on a storm manhole cover.

Add new Section 256-13. Retrofitting of Storm Drain Inlets Required.

Any person who owns, or is responsible for the operation of, private property shall hereafter be required to retrofit any existing storm drain inlet that is in direct contact with any repaving, repairing, reconstruction, resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen) or other alteration of facilities. Any storm drain inlet requiring retrofitting shall meet the design standards of § 256-15.

Add new Section 256-14. Exceptions to the Retrofitting Requirement.

Retrofitting of storm drain inlets is not required under the following circumstances:

- A. Any repaving, reconstruction, or alteration on a single residential lot.
- B. Repairs that consist solely of repair of individual potholes.
- C. If compliance with the retrofitting requirement would cause inadequate hydraulic performance that could not be overcome by using additional or larger storm drain inlets that meet the design standards. An engineering analysis must be provided to the Township Engineer as evidence to support any exception request.

Add new Section 256-15. Design Standards.

The design standard for storm drain inlets is intended to control the passage of solid and floatable materials such as plastic bottles, cans, trash, and other litter into the storm sewer system which ultimately discharges to a river, creek, stream, ditch or other body of water thus causing a degradation of water quality.

- A. Inlet grates shall be the NJDOT bicycle-safe grate as specified in NJDOT Standard Roadway Construction Details.
- B. A different grate may be used provided that each individual clear space in the 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.
- C. Curb-opening inlets shall have no individual clear space greater than seven (7.0) square inches, or is no greater than two (2.0) inches across the smallest dimension.

Add new Section 256-16. Violations and Penalties.

Any person who is found to be in violation of this Article shall, upon conviction thereof, be subject to one or more of the following: a fine not exceeding \$1,250 or imprisonment in the county jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, in the discretion of the Municipal Court Judge.

This Ordinance shall take effect upon due publication and final enactment as provided by law.

TOWNSHIP OF PENNSAUKEN

GENE PADALINO
Township Clerk

FIRST READING: MARCH 24, 2010

SECOND READING: APRIL 21, 2010

ADOPTED: APRIL 21, 2010