

ORDINANCE

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XXV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED LAND DEVELOPMENT”

09-09

25-16 STORMWATER CONTROL

25-16.1 Scope and Purpose.

C. Applicability. ADD

This ordinance shall apply to:

- c) 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 litter) to MS-4 of the Borough of Lakehurst so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

25-16.5 Design, Construction, and Safety Standards for Structural Stormwater Management Measures. ADD

D. Storm Drain Inlet Standards. Storm drain inlets shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section “solid and floatable materials” means sediment, debris, trash, and other floating, suspended or settleable solids.

(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 individually 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; or

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 space of 0.5 inches.

c. Where flows are conveyed through a trash rack that has parallel bars with a one-inch (1") spacing between bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the new Jersey Register of Historic Places Rules at NJAC 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.

25-16.7 Definitions. ADD

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. When used in this ordinance, the following terms shall have the meanings herein ascribed to them.

"Municipal separate storm sewer system (MS-4)" means a conveyance or 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 Lakehurst or other public body, and is designed and used for collecting and conveying stormwater.

“Person” means any individual, corporation, company, partnership, firm, association, municipality or political subdivision of this State subject to municipal jurisdiction.

“Storm drain inlet” means 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.

25-16.8 Penalties. ADD

A. Any person in control of private property (except a residential lot with one single family house) who shall authorize the repaving, repairing (excluding the repair to individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property where the storm drain inlet does not meet the standard of this Chapter, or is not replaced or retrofitted to meet the standard shall be subject to a fine of not less than \$ 500.00 nor more than \$ 2,000.00 for each storm drain inlet that does not meet the standards set in 25-16-5D.

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.

Effective date.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Hon. Timothy J. Borsetti
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #09-09 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XXV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY ENTITLED LAND DEVELOPMENT” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the seventh day of May, 2009.

Bernadette Dugan, RMC
Municipal Clerk