

ORDINANCE NO. 2023-16

**TOWNSHIP OF CHESTERFIELD
COUNTY OF BURLINGTON
STATE OF NEW JERSEY**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE
TOWNSHIP CODE WITH THE CREATION OF CHAPTER
168 ENTITLED “STORMWATER QUALITY PROTECTION”**

BE IT ORDAINED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Chesterfield Township Code is here by amended, revised and/or supplemented with the addition of Chapter 168, entitled “Stormwater Quality Protection” to read as follows:

CHAPTER 168 Stormwater Quality Protection

§ 168-1 Findings.

The Township Committee finds that the effective management of stormwater and the improvement of the quality of stormwater has been declared to be the public policy of the State of New Jersey and that it is both appropriate and necessary for the Township of Chesterfield to establish, consistent with the recommendations of the New Jersey Department of Environmental Protection, regulations that will improve the quality of stormwater runoff and protect the environment, including regulations on litter, pet waste, wildlife feeding, yard waste collection, containerized waste, improper disposal, illicit connections to the stormwater system, privately owned salt storage facilities, and tree removal and replacement, and other regulations as from time to time may be required by the New Jersey Department of Environmental Protection, other state, Federal or County agencies, or by the Township of Chesterfield.

§ 168-2 Purpose.

It is the purpose of this chapter to establish regulations for the protection of the environment and to establish requirements for the protection of the stormwater system in the Township of Chesterfield so as to protect public health, safety and welfare.

§ 168-3 Definitions.

For the purpose of this chapter, 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.

APPLICANT

Any “person”, as defined below, who applies for approval to perform any activity regulated by any section of this Chapter.

CONTAINERIZED

The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

DE-ICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

DOMESTIC SEWAGE

Waste and wastewater from humans or household operations.

FEED

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

HOMEOWNER

A person(s) who owns a residence.

ILLCIT CONNECTION

Any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the State of New Jersey Department of Corrections at the Albert C. Wagner Youth Correctional Facility by contract with the Township of Chesterfield, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

IMMEDIATE

Shall mean at once, without delay.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INDUSTRIAL WASTE

Non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).

LITTER

Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including but not limited to any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

LITTER RECEPTACLE

A container suitable for the depositing of litter.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Township of Chesterfield or other public body, and is designed and used for collecting and conveying stormwater. 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.

NJPDES PERMIT

A permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

NON-CONTACT COOLING WATER

Water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Noncontact cooling water may, however, contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

OWNER/KEEPER

For the purpose of defining “Owner/Keeper” in the context of provisions contained in the Pet Waste section of this code, owner/keeper shall mean any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

PERMANENT STRUCTURE

For the purpose of defining “permanent structure” in the context of provisions contained in the Privately Owned Salt Storage section of this code, permanent structure shall mean a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind-driven rainfall.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

PET

A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE

Waste matter expelled from the bowels of the pet; excrement.

PET SOLID WASTE PROPER DISPOSAL

Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

PROCESS WASTEWATER

Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.

PROPER DISPOSAL

Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

REFUSE CONTAINER

Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

RESIDENT

For the purpose of defining “resident” in the context of provisions contained in the Privately Owned Salt Storage section of this code, resident shall mean a person who resides on a residential property where de-icing material is stored.

STORM DRAIN INLET

An opening or point of entry into the storm sewer system or 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.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

STREET

Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way which is an existing state, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

TREE

A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE REMOVAL

To kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of

treatments intended to manage invasive species.

WATERS OF THE STATE

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

WILDLIFE

All animals that are neither human nor domesticated.

YARD WASTE

Leaves and grass clippings.

§ 168-4 Littering.

- A. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
- B. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this chapter, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this chapter.

§ 168-5 Circulars, Handbills, Advertisements.

It shall be unlawful to scatter or throw upon the streets, sidewalks, alleys or public places or to tack or nail upon any telegraph, telephone or trolley poles or trees in the Township of Chesterfield any posters, pamphlets, circulars, handbills, advertisements or paper or to scatter or throw the same in or upon any porch, step, stoop or vestibule of any building or upon the yard or lot fronting or bordering on the streets, alleys or public places aforesaid, provided that nothing herein shall be construed to prevent the delivery or distribution of posters, pamphlets, circulars, handbills or advertisements enclosed in envelopes or appropriately secured at the property entrance or to apply to the delivery of the same to individuals personally or to the issue, circulation and sale of newspapers.

§ 168-6 Use of Litter Receptacles.

Litter receptacles and their servicing are required at the following public places which exist in the municipality, including sidewalks used by pedestrians in active retail commercially zoned areas such that, at a minimum, there shall be no single linear quarter-mile without receptacle: buildings held out for use by the public, including schools, government buildings and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat-launching areas; public and private piers operated for public use; beaches and bathing areas; and at special events to which the

public is invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

§ 168-7 Illegal Dumping.

It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances or furniture, or on private property, except by written consent of the owner of said property, in any place not specifically designated for the purpose of solid waste storage or disposal.

§ 168-8 Storage of Household Solid Waste.

It shall be unlawful for any residential property owner to store or permit storage of any household waste, including household appliances, furniture and mattresses, in areas zoned residential or on properties in residential use, except in a fully enclosed structure or when placed out for collection during days designated for the collection of household solid waste and only in approved containers as required by § 168-20 of this Chapter.

§ 168-9 Storage of Tires.

It shall be unlawful for any residential property owner or owner of properties in residential use to store or permit the storage of tires in areas zoned residential, except in a fully enclosed structure or on days designated for the collection of tires if such collection is to occur.

§ 168-10 Requirements for Transporting Loads.

It shall be unlawful for any vehicle to be driven, moved, stopped or parked on any highway unless such a vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any potentially injurious objects or substances have fallen or escaped, which could cause an obstruction, damage a vehicle or otherwise endanger travelers or public property, shall immediately cause the public property to be cleaned of all such objects or substances and shall pay the costs therefor.

§ 168-11 Construction Sites.

It shall be unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during or after completion of any construction or demolition project. It shall be the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse.

§ 168-12 Open or Overflowing Waste Disposal Bins Prohibited.

It shall be unlawful for any residential or commercial property owner to permit open or overflowing disposal bins on his or her property.

§ 168-13 Responsibilities of Owners and Occupants.

It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind and to keep sidewalks, areaways, backyards, courts and alleys free from litter and other offensive materials. No person shall sweep into or deposit into any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All sweepings shall be collected and properly containerized for disposal.

§ 168-14 Yard Waste Collection.

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is prohibited. Containerized yard waste is permitted to be placed curbside for collection only during the three days prior to a scheduled collection. Placement of yard waste at the curb or along the street at any other time or in any other manner is a violation of this chapter. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§ 168-15 Yard Waste Control Required.

The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this chapter.

§ 168-16 Pet Waste.

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person, except that any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while the animal is being used for that purpose.

§ 168-17 Wildlife Feeding Prohibited.

No person shall feed, in any public park or on any other property owned or operated by the Township of Chesterfield, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, events allowing petting and visiting of animals, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

- A. Any person found to be in violation of this chapter shall be ordered to cease the feeding immediately and failure to comply shall be deemed in violation of this chapter.

§ 168-18 Illicit Connection to Stormwater System.

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Chesterfield any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).

§ 168-19 Improper Disposal Through the Stormwater System.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Chesterfield is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

The following are exceptions to the prohibition:

- A. Waterline flushing and discharges from potable water sources.
- B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).
- C. Air-conditioning condensate (excluding contact and noncontact cooling water).
- D. Irrigation water (including landscape and lawn watering runoff).
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- F. Residential car washing water, and residential swimming pool discharges.
- G. Sidewalk, driveway and street wash water.
- H. Flows from fire-fighting activities.
- I. Flows from rinsing of the equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ 168-20 Refuse Containers and Dumpsters.

A. Prohibited conduct.

(1) Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

(2) Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge

liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Chesterfield.

B. Exceptions to prohibition.

- (1) Permitted temporary demolition containers.
- (2) Litter receptacles (other than dumpsters or other bulk containers).
- (3) Individual homeowner trash and recycling containers.
- (4) Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- (5) Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

§ 168-21 Private Storm Drain Inlet Retrofitting.

A. 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 of 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 § 168-22B prior to the completion of the project.

B. Design standard.

Storm drain inlets identified in § 168-22A shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this subsection, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard, see § 168-22B(3).

- (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 7.0 square inches, or is no greater than 0.5 inch 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 7.0 square inches, or be no greater than 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:

[1] A rectangular space 4 5/8 inches long and 1 1/2 inches wide (This option does not apply for outfall netting facilities.); or

[2] A bar screen having a bar spacing of 0.5 inch.

(c) Where flows are conveyed through a trash rack that has parallel bars with one-inch 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.

§ 168-22 Privately-Owned Salt Storage.

This ordinance is intended to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned)* in Chesterfield Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

De-Icing Materials Storage Requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th.
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15th and April 15th.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored indoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 168-23 (RESERVED)

§ 168-24 Enforcement.

This ordinance shall be enforced by the Chesterfield Township Public Works Foreman, Assistant Foreman, Zoning Officer, Property maintenance Inspector, Construction Code Official, or officers of the Chesterfield Township Police Department during the course of ordinary enforcement duties.

§ 168-25 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have seventy-two (72) hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows:

- A. Any person who violates or neglects to comply with any provision of this chapter or code established herein, and/or notice issued pursuant thereto, shall, upon conviction thereof, be liable to a penalty of not less than \$50 nor more than \$1,000 for each violation. In case a person shall have been twice convicted within the time frame of one year for the violation of the same offense, the court having jurisdiction over the matter may cause a penalty to be assessed not exceeding \$1,000 or imprisonment of said person in the county jail for a period not exceeding 90 days or for 90 days of community service.

- B. In the event that a violation of this code or any of the provisions of this chapter or code established herein requires the Township to undertake judicial proceedings to enforce the provisions of this code or the provisions contained herein, then the violating party, upon determination that a violation has in fact occurred, shall be responsible for all reasonable attorney's fees and costs incurred by the Board of Health and the Township of Chesterfield in pursuit of said legal remedies.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.
2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance, except so far as the provisions or paragraphs so declared invalid shall be separable from the remainder or any portion thereof.
3. This Ordinance will take effect after publication and passage according to law.

Introduced: September 28, 2023
 Adopted: October 12, 2023
 Effective Date: October 18, 2023

Township of Chesterfield

By: _____

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted at a meeting of the Mayor and Township Committee held on October 12, 2023.

 Caryn Hoyer, RMC, Township Clerk

RECORD OF VOTE 2023-16													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
Blazic	X						Blazic	X					
Liedtka	X				X		Liedtka				X		
Litt	X						Litt	X				X	
Dhopte	X					X	Dhopte	X					X
Koetas-Dale	X						Koetas-Dale	X					
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													