

ORDINANCE O:37-2024

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, COUNTY OF GLOUCESTER ESTABLISHING CHAPTER 244 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "PRIVATELY-OWNED SALT STORAGE"

WHEREAS, the Township Council of the Township of Monroe has recommended a certain amendment to the Code of the Township of Monroe and has determined that is is in the best interest of the Township to adopt this code.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe that the Code of the Township of Monroe is hereby amended to include the amendment herein.

SECTION I. The Township Code, of the Township of Monroe is hereby amended and supplanted so as to establish Chapter 244, which shall be entitled "Privately-Owned Salt Storage" and which shall read as follows:

Chapter 244 Privately-Owned Salt Storage

§ 244-1. Purpose

This ordinance aims to mitigate the negative environmental impacts associated with improper storage of de-icing materials, which can lead to contamination of stormwater systems and local waterways. The purpose of this ordinance is 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), including residences, in the Township of Monroe to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

§ 244-2. 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 consistent 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.

"De-icing materials"

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

"Impervious surface"

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

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“Storm drain inlet”

The point of entry into the storm sewer system.

“Permanent structure”

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:

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;

The design shall prevent stormwater run-on and run-through and the fabric cannot leak;

The structure shall be erected on an impermeable slab;

The structure cannot be open-sided; and

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.

“Resident”

A person who resides on a residential property where de-icing material is stored.

§ 244-3. Permit Required:

No person shall temporarily store de-icing materials in any non-residential property until a written permit for such storage has been duly issued by the Department of Code Enforcement. Permits shall be prominently displayed at the storage site and are subject to annual renewal.

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§ 244-4. Permit Application Procedure:

Application for all permits to temporarily store de-icing materials shall be made on the forms provided by the Township of Monroe and submitted to the Municipal Clerk. Forms can be obtained from the Township Clerk’s office during regular business hours.

Applications must be submitted at least 30 days prior to the intended storage period. The Township will review and approve applications within 15 business days of receipt.

Accompanying all applications shall be the following:

- (a) A clearly drawn plan, aerial or sketch, which delineates the approximate location of the temporary de-icing material storage.**
- (b) Application form.**
- (c) Application fee in the amount of \$50.00.**

§ 244-5. Deicing Material Storage Requirements:

Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

- (a) Loose materials shall be placed on a flat impervious surface in a manner that prevents stormwater run-through;**
- (b) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches, and/or other stormwater conveyance channels;**
- (c) 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;**
- (d) Loose materials shall be covered as follows:**
 - (1) The cover shall be waterproof, impermeable, and flexible;**
 - (2) The cover shall extend to the base of the pile(s);**
 - (3) The cover shall be free from holes or tears;**
 - (4) The cover shall be secured and weighed down around the perimeter to prevent removal by wind;**
 - (5) 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.**

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- (6) 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;
- (7) Containers must be sealed when not in use; and
- (8) The site shall be free of all de-icing materials between April 16th and October 14th.
- (9) 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 15 - April 15.
- (10) 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 outdoors 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.
- (11) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 244-6 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.

§ 244-7 Enforcement:

This ordinance shall be enforced by the Department of Code Enforcement during the course of ordinary enforcement duties.

§ 244-8. Violations and Penalties:

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

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First violation: \$100

Second violation: \$250

Third and subsequent violations: \$500 per violation

SECTION II. If any word, phrase, clause, section or provision in this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION III. This Ordinance shall take effect twenty (20) days after final passage and publication as required by law.

TOWNSHIP OF MONROE



CNCL. PRES., CHELSEA VALCOURT

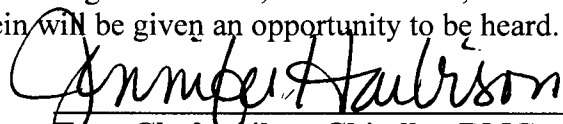
ATTEST:



Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC

CERTIFICATION OF CLERK

The foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Monroe held on the 26th day of June, 2024, and will be considered for final passage and adoption at a meeting of the Township Council of the Township of Monroe to be held on 24th day of July, 2024 at the Municipal Building, 125 Virginia Avenue, Williamstown, New Jersey 08094, at which time any person interested therein will be given an opportunity to be heard.



Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC

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ROLL CALL VOTE

1st Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams	✓			
Cncl. Fox	✓			
Cncl. Garbowski	✓			
Cncl. Heverly	✓			
Cncl. McKinney	✓			
Cncl. O'Reilly				✓
Cncl. Pres. Valcourt	✓			
Tally:	6			1

2nd Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams				✓
Cncl. Fox	✓			
Cncl. Garbowski				✓
Cncl. Heverly	✓			
Cncl. McKinney	✓			
Cncl. O'Reilly	✓			
Cncl. Pres. Valcourt	✓			
Tally:	5			2

The foregoing ordinance was hereby approved by the Mayor of the Township of Monroe on this 31st day of July, 2024.


MAYOR GREGORY A. WOLFE