

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 11-2024**

**AMENDING CHAPTER 203 ENTITLED “STORMWATER QUALITY”  
OF THE CODE OF THE TOWNSHIP OF MOORESTOWN BY ADDING  
ARTICLE VIII, ENTITLED “PRIVATELY-OWNED SALT STORAGE”**

WHEREAS, as part of the MS4 Tier A permit stormwater requirements, the New Jersey Department of Environmental Protection (NJDEP) requires municipalities to adopt an ordinance regulating outdoor storage of salt and other solid de-icing materials at privately-owned properties, including all residential and business-use properties.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown, in the County of Burlington, State of New Jersey, that Chapter 203, entitled, Stormwater Quality be amended to add Article VIII, Privately-Owned Salt Storage as follows:

**Section 1.** Chapter 203 shall be amended to add Article VIII “Privately-Owned Salt Storage” as follows:

**ARTICLE VIII  
Privately-Owned Salt Storage**

**§ 203-39. Purpose.**

**§ 203-40. Definitions.**

**§ 203-41. De-Icing Material Storage Requirements.**

**§ 203-42. Exemptions.**

**§ 203-43. Enforcement.**

**§ 203-44. Violations and Penalties.**

**§ 203-39. Purpose.**

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 Moorestown to protect the environment, public health, safety and welfare, and prescribes penalties for failure to comply with the requirements.

**§ 203-40. 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 Article 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.

A. “De-icing Materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of ice or snow. Containerized De-icing Materials shall mean any De-icing Material prepackaged in a solid walled or closed container that prevents precipitation from entering and exiting the container and which prevents the material from leaking or spilling out and which does not exceed fifty (50) pounds. All other De-icing Materials shall be considered Loose De-icing Material.

B. “Impervious Surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

C. “Storm Drain Inlet” means the point of entry into the storm sewer system.

D. “Permanent Structure” means 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.

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

F. “Resident” means a Person who resides on a residential property where De-icing Material is stored.

### **§ 203-41. De-Icing Material Storage Requirements.**

A. De-icing Materials should be stored in a Permanent Structure if a suitable storage structure is available. Where Loose De-icing Materials are stored in a Permanent Structure they are not subject to the requirements of subsection B, below.

B. Temporary outdoor storage of Loose De-icing Materials is allowed between October 15 and April 15 in accordance with the requirements below:

1. The materials shall be placed on a flat, Impervious Surface in a manner that prevents stormwater run-through.

2. The materials shall be placed at least fifty feet (50’) from surface water bodies, Storm Drain Inlets, ditches and/or other stormwater conveyance channels.

3. The 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. The materials shall have a cover meeting the following requirements:

a. The cover shall be waterproof, impermeable, and flexible; and

b. The cover shall extend to the base of the pile(s).

5. The cover shall be secured and weighed down around the perimeter to prevent removal by wind by the placement of weight in such a way that minimizes the potential of exposure as such materials shift and runoff flows down to the base of the pile. 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.

6. Temporary outdoor storage of Loose De-icing Materials is not permitted between April 16 and October 14.

C. All such temporary and/or Permanent Structures must also comply with all other local ordinances, including building and zoning regulations (For purposes of this chapter, any structure which comply with the aforementioned regulations shall be exempt from the site plan approval requirements, but shall require an administrative approval in the form of a zoning permit and/or construction permit as may be the case).

D. 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.

**§ 203-42. Exemptions.**

A. Residents who 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 are exempt from the requirements of this chapter except that any damaged or inadequate containers shall be repaired or replaced within 2 weeks.

B. Containerized De-icing Materials are not subject to the storage and inspection requirements in §203-41.B. above. Piles of Loose De-icing Materials are not exempt, even if stored in a Permanent Structure.

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

**§ 203-43. Enforcement.**

This ordinance shall be enforced by the Township Stormwater Management Coordinator and/or Code Enforcement Officer.

**§ 203-44. Violations and Penalties.**

Any Person(s) who is found to be in violation of the provisions of this chapter shall have 72 hours from receipt of written notice to take appropriate corrective action. Repeat violations and/or failure to complete corrective action shall be subject to a municipal court summons and, upon conviction, shall be subject to a fine not to exceed \$1,250 per day in accordance with Township Code, Chapter 66, Penalties for Code Violations.

**Section 2. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 3. Effective Date.** This ordinance shall become effective 20 days after passage.

**Section 4. Short Title.** This Ordinance shall be known as Ordinance 11-2024.

CERTIFICATION

I, Patricia L. Hunt, Township Clerk, hereby certify that the attached is a true and correct copy of Ordinance No. 11-2024 which was introduced and adopted on first reading on April 8, 2024 and heard on second reading and was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on April 29, 2024.

<u>VOTE:</u>	
GILLESPIE	YES
LAW	YES
KEATING	YES
MAMMARELLA	YES
ZIPIN	YES

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Patricia L. Hunt, RMC  
Township Clerk