

ORDINANCE 2024-14

**AN ORDINANCE OF THE TOWNSHIP OF MULLICA, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE CODE OF THE
TOWNSHIP CREATING A NEW CHAPTER CAPTIONED “PRIVATELY-OWNED
SALT STORAGE”**

WHEREAS, the New Jersey Department of Environmental Protection has promulgated proposed Ordinances to be adopted by municipalities as part of Stormwater Management; and

WHEREAS, one Ordinance to be adopted by a municipality is to prevent stored salt and other deicing materials from being exposed to stormwater.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, as follows:

SECTION 1. 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)* in the Township of Mullica to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION 2. Definitions:

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings sated 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 a singular number and words used in the singular number include the plural number. The words “shall” is always mandatory and not merely directory.

- A. “Deicing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- 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 material;
 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.

SECTION 3. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th, but no longer than 30 days without prior written approval from the Department:
1. Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater fun-through;
 2. Materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;
 3. Materials shall be formed in a cone-shaped storage pile;
 4. All storage piles 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;
 - 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. The site shall be free of all deicing materials between April 16th and October 14th.

B. Deicing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of solid deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15th – April 15th.

C. The property owner shall designate a person(s) responsible for operations at the site where these materials are stored, and who shall document that weekly inspections are conducted to ensure that the conditions of this Ordinance are met.

SECTION 4. Exemptions:

This Ordinance does not apply to facilities where the stormwater discharges from salt storage activities are regulated under another NJPDES permit.

SECTION 5. Enforcement:

This Ordinance shall be enforced by the Township Police Department and/or other Municipal Officials designated by the Township of Mullica during the course of ordinary enforcement duties.

SECTION 6. 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 upon conviction thereof, before the Municipal Court of the Township of Mullica, be subject to a fine not exceeding \$500.00 or imprisonment in the County Jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such a violation occurs or continues.

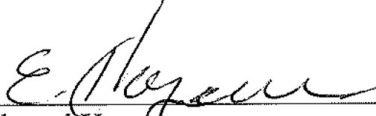
SECTION 7. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and 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.

SECTION 8. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

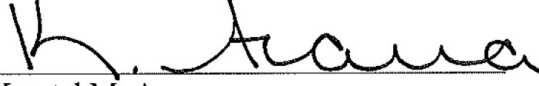
INTRODUCTION: May 21, 2024
PUBLICATION: May 29, 2024
ADOPTION: June 25, 2024
PUBLICATION: June 26, 2024
EFFECTIVE: June 26, 2024



Edward Haganan
Mayor

CERTIFICATION

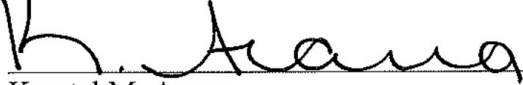
I, Krystel M. Arana, Municipal Clerk of the Township of Mullica, County of Atlantic, State of New Jersey, do hereby certify that the foregoing Ordinance 2024-14 was introduced by the Mayor and Committee of the Township of Mullica at a Regular Meeting held on Tuesday, May 21, 2024.



Krystel M. Arana
Municipal Clerk

CERTIFICATION

I, Krystel M. Arana, Municipal Clerk of the Township of Mullica, County of Atlantic, State of New Jersey, do hereby certify that the foregoing Ordinance 2024-14 was adopted by the Mayor and Committee of the Township of Mullica at a Regular Meeting held on Tuesday, June 25, 2024.



Krystel M. Arana
Municipal Clerk