

Chapter 196. Private Storm Drain Inlet Retrofitting

[HISTORY: Adopted by the Township Council of the Township of Cedar Grove 5-5-2014 by Ord. No. 14-772. Amendments noted where applicable.]

GENERAL REFERENCES

Sewers — See Ch. 271.

Stormwater management — See Ch. 228.

§ 196-1. Purpose.

The purpose of this chapter is to:

- A. Require 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;
- B. Prevent the discharge of solids and floatables to the municipal separate storm sewer systems operated by the Township so as to protect public health, safety, and welfare; and
- C. Prescribe penalties for the failure to comply.

§ 196-2. Definitions.

- A. The word "shall" is always mandatory and not merely directory.
- B. For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings defined herein unless otherwise stated:

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 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 to collect and transport stormwater from streets and other sources.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to the jurisdiction of this Township.

SOLID AND FLOATABLE MATERIALS

Sediment, debris, trash, and other floating, suspended, or settleable solids.

STORM DRAIN INLET

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.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams, and bodies of surface water or groundwater, whether natural or artificial, subject to the jurisdiction of this Township.

§ 196-3. Prohibited conduct.

- A. No person in control of private property shall authorize the repaving, repairing, resurfacing, reconstructing, or altering of any service that is in direct contact with an existing storm drain inlet on that property.
 - (1) "Repairing" shall not include the repair of individual potholes.
 - (2) "Resurfacing" shall include top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen.
- B. The conduct in Subsection A shall be permitted if the storm drain inlet either:
 - (1) Already meets the design standard hereinafter prescribed by § 196-4 to control passage of solid and floatable materials; or
 - (2) Is retrofitted or replaced to meet the standard hereinafter prescribed by § 196-4 prior to the completion of the project.
- C. This section shall not apply to persons in control of a residential lot with one single-family house.

§ 196-4. Design standard.

- A. Storm drain inlets identified in § 196-3 above shall comply with the standard provided by this section to control passage of solid and floatable materials through storm drain inlets.
- B. 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:
 - (1) The New Jersey Department of Transportation bicycle-safe grate, which is described in Chapter 2.4 of the New Jersey Department of Transportation Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - (2) A different grate, if each individual clear space in that grate has an area of no more than seven square inches or is no greater than 0.5 inch across the smallest dimension.
- C. 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 drain.

Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- D. 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 square inches or be no greater than two inches across the smallest dimension.
- E. This standard does not apply where:
 - (1) The Township Engineer agrees that this standard would cause inadequate hydraulic performance that cannot practically be overcome by using additional or larger storm drain inlets that meet these standards;
 - (2) 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 cannot pass through one of the following:
 - (a) A rectangular space $4 \frac{5}{8}$ inches long and $1 \frac{1}{2}$ inches wide (this option does not apply for outfall netting facilities); or
 - (b) A bar screen having a bar spacing of 0.5 inch.
 - (3) Flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars; or
 - (4) The New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules, N.J.A.C. 7:4-7.2(e), that action to meet this standard is an undertaking that constitutes encroachment or will damage or destroy New Jersey Register-listed historic property.

§ 196-5. Enforcement.

This chapter shall be enforced by the Township Manager's office, Township Engineer, and Police and Building Departments of the Township of Cedar Grove.

§ 196-6. Violations and penalties.

Any person who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed \$500 for each storm drain inlet that is not retrofitted to meet the design standard.