

APPROVED

June 19 20 24
Kristen M. Martin
MAYOR

TOWNSHIP OF FLORENCE

ORDINANCE 2024-09

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 123 OF THE FLORENCE TOWNSHIP CODE ENTITLED “STORMWATER QUALITY PROTECTION” TO ADOPT NJDEP MANDATED RULES AND REGULATIONS RELATED TO PRIVATELY OWNED SALT STORAGE

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has drafted model ordinance language for various stormwater protection ordinances to be adopted by all municipalities in the State; and

WHEREAS, such draft ordinances may or may not be applicable to each and every municipality in the State; and

WHEREAS, the Township of Florence has no such private salt storage locations the NJDEP desires that the Township of Florence will regulate by requiring local ordinances to do so; and

WHEREAS, in order to remain compliant with regulations established by the NJDEP, Florence Township has determined it is in the best interest of the Township, residents, the business community, and the environment to comply with the mandates of the NJDEP.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence that:

Part 1. Chapter 123, entitled “Stormwater Quality Protection” Section 123-3 “Definitions” shall be amended to include the following phrases and definitions:

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

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

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.

“Resident” means a person who resides on a property.

Part 2. Chapter 123, entitled “Stormwater Quality Protection” shall be amended to add Sections 123-24 through 123-29 which Sections 123-24 through 123-28 shall be “Reserved” for future use and Section 123-29 shall be titled “Enforcement”.

Part 3. Section 123-23, entitled “Violation and penalties” shall be renumbered as Section 123-30

Part 4. Chapter 123, Section 123-23 shall be titled “Privately Owned Salt Storage De-Icing Material Storage Requirements” and shall read as follows:

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.
 - a. 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.
 - b. Any structure must comply with current NJ State adopted IBC building codes and the bulk standards applicable to the Zoning District where the property is located.
 - 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 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.
 7. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

B. 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 123-23A 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.

Part 5. Newly created and titled Section 123-29 "Enforcement" shall read as follows:

The provisions contained in Chapter 123 of the Code of the Township of Florence shall be enforced by the Florence Township Code Enforcement Officers, Construction Code Official, Zoning Officer, Public Works Manager, or Stormwater Management Coordinator.


Part 6. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Part 7. All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Part 8. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.



FRANK BALDOROSSİ
Council President



NANCY L. ERLSTON, RMC
Township Clerk

**NOTICE
FLORENCE TOWNSHIP**

ORDINANCE 2024-09

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 123
OF THE FLORENCE TOWNSHIP CODE ENTITLED “STORMWATER QUALITY
PROTECTION” TO ADOPT NJDEP MANDATED RULES AND REGULATIONS
RELATED TO PRIVATELY OWNED SALT STORAGE**

Take Notice that the Ordinance identified above amending Chapter 123 entitled “Stormwater Quality Protection” to adopt NJDEP mandated rules and regulations related to privately owned salt storage has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, at a meeting held on June 5, 2024. It will be considered for final passage after public hearing to be held on June 19, 2024 at 7:00 PM in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full Ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. The ordinance is posted on the township’s website www.florence-nj.gov

Nancy L. Erlston, RMC
Township Clerk

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Take Notice that the Ordinance identified above amending Chapter 123 entitled “Stormwater Quality Protection” to adopt NJDEP mandated rules and regulations related to privately owned salt storage has received final adoption by the Township Council and was approved by the Mayor of the Township of Florence, County of Burlington, State of New Jersey, following a public hearing held on June 19, 2024 at 7:00 PM in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full Ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. The ordinance is posted on the township’s website www.florence-nj.gov

Nancy L. Erlston, RMC
Township Clerk

Ordinance No. <u>2024-09</u>
Advertised in Burlington County Times on: <u>JUNE 23, 2024</u>
Effective Date: <u>JULY 13, 2024</u>
<u>NLE</u> Initials