

BOROUGH OF NORTH HALEDON

ORDINANCE #22-2023

**AN ORDINANCE REVISING, AMENDING AND SUPPLEMENTING
THE CODE OF THE BOROUGH OF NORTH HALEDON,
WITH THE ADDITION OF
CHAPTER 517, PRIVATELY OWNED SALT STORAGE**

BE IT ORDAINED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Chapter 517, Stormwater Control, shall be added to the North Haledon Borough Code.

§ 517-1 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 Borough of North Haledon to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 517-2 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.

- 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 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 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.

§ 517-3. 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.

1. Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-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.

B. De-icing 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 15 - April 15.

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.

§ 517-4. Exemptions:

This ordinance does not apply to facilities where the stormwater discharges from salt

storage activities are regulated under another NJPDES permit.

§ 517-5. Enforcement:

This ordinance shall be enforced by the Borough of North Haledon's Property Maintenance Officer or its designee during the course of ordinary enforcement duties.

§ 517-6 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 be subject to penalties as provided in Chapter 1. General Provisions, Article II, General Penalty of the Code of the Borough of North Haledon.

All other parts or provisions of the Code of the Borough of North Haledon not specifically amended by this Ordinance shall remain in full force and effect.

This Ordinance shall take effect as provided by law.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on October 18, 2023, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on December 13, 2023 at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 7:30 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard

Notice is hereby given that the above ordinance passed its second and final reading at the Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on December 13, 2023 at 103 Overlook Avenue, North Haledon, NJ 07508, and is hereby declared a passed ordinance in accordance with law.

Randy George, Mayor

Passed first reading on
October 18, 2023

Passed second and final reading
December 13, 2023

Renate Elatab
Municipal Clerk

Renate Elatab
Municipal Clerk

