



## ORDINANCE 1812

### AN ORDINANCE ESTABLISHING CHAPTER 15.30 PRIVATELY-OWNED SALT STORAGE

**WHEREAS**, the Borough of Glen Ridge maintains Chapter 15 entitled "Buildings and Construction"; and,

**WHEREAS**, on July 17, 2023, the New Jersey Department of Environmental Protection ("NJDEP") amended its Stormwater Management Regulations, N.J.A.C. 7:8-1.1 et seq.; and

**WHEREAS**, the NJDEP has promulgated a model Privately Owned Salt Storage ordinance to establish requirements for the storage of salt and other solid De-icing Materials on privately owned properties to prevent them from being exposed to stormwater; and

**WHEREAS**, the Borough now wishes to adopt this Chapter 15.30 (Privately-Owned Salt Storage) based on the NJDEP Privately Owned Salt Storage model ordinance.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Glen Ridge that the following shall be adopted:

Chapter 15 of the Borough Code, entitled "Building and Construction" shall hereby be amended and supplemented, as follows:

#### Chapter 15.30 Privately-Owned Salt Storage

##### 15.30.010. Purpose.

The purpose of this Chapter 15.30 is to prevent stored salt and other solid De-icing Materials from being exposed to stormwater.

This Chapter 15.30 establishes requirements for the storage of salt and other solid De-icing Materials on properties not owned or operated by the Borough of Glen Ridge (i.e., privately-owned properties), including residences (except for one- and two-family structures) located in the Borough of Glen Ridge, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

##### 15.30.020. Definitions.

For the purpose of this Chapter 15.30, 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).

(1) A fabric frame structure is a permanent structure if it meets the following specifications:

- (i) 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;

- (ii) the design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- (iii) the structure shall be erected on an impermeable slab;
- (iv) the structure cannot be open sided; and
- (v) 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 Materials are stored.

**15.30.030. De-icing Material Storage Requirements.**

(a) Temporary outdoor storage of De-icing Materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:

- (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:
  - (i) the cover shall be waterproof, impermeable, and flexible;
  - (ii) the cover shall extend to the base of the pile(s);
  - (iii) the cover shall be free from holes or tears;
  - (iv) the cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
  - (v) 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.
    - (A) 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 16<sup>th</sup> and October 14<sup>th</sup>.

(b) 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, provided, however, materials which are not containerized (in bags or buckets) are not exempt from the requirements of this Chapter, even if stored in a permanent structure.

(c) All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.

(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 Chapter

15.30 are met. Inspection records shall be kept on site and made available to the Borough of Glen Ridge upon request.

(e) Residents who operate permitted businesses from their homes that utilize De-icing Materials are required to perform weekly inspections. Nothing in the foregoing is intended to allow businesses to be operated from homes, any such business must be otherwise permitted and conducted only to the extent allowed by the ordinances of the Borough of Glen Ridge.

**15.30.040. Exceptions.**

Owners of single- or two-family structures 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 15.30.030 above. Piles of De-icing Materials which are not containerized (in bags or buckets) are not exempt from the requirements of this Chapter, even if stored in a permanent structure.

This Chapter 15.30 does not apply to facilities where the stormwater discharges from De-icing Material storage activities are regulated under another NJPDES permit.

**15.30.050. Enforcement.**

This Chapter 15.30 shall be enforced by the Code Enforcement Officer during the course of ordinary enforcement duties.

**15.30.060. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Chapter 15.30 shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall, upon conviction thereof, be punished as provided in Section 1.08.010, general penalty, of this code.

**15.30.070 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.

**BE IT FURTHER ENACTED AND ORDAINED**, that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

Ordinance Introduction: Monday, August 19, 2024

Ordinance Adopted:

ATTEST:

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Deborah Mans  
Mayor

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Tara Ventola  
Municipal Clerk