

**ORDINANCE NO. 2024-10**  
**TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ**

**AN ORDINANCE TO AMEND AND SUPPLEMENT**  
**SECTION 30-17.1A, STORMWATER CONTROL**  
**IN THE CODE OF THE TOWNSHIP OF GREEN,**  
**TO PREVENT STORED SALT AND OTHER SOLID DE-ICING**  
**MATERIALS FROM BEING EXPOSED TO STORMWATER**

**WHEREAS**, the New Jersey Department of Environmental Protection requires that all Tier A municipalities take measures to prevent the discharge of solids and floatables from private properties into municipal separate storm sewers systems. In order to comply with the requirements of the Township of Green's Municipal Stormwater General Permit, the Township Committee wishes to amend the revised general ordinances to require that all salt and other solid de-icing materials be stored in a manner to prevent those materials from being exposed to stormwater will result in runoff into the Township's municipal separate storm sewer system.

**BE IT ORDAINED** by the Green Township Committee that certain sections within Section 30-17.1A, Stormwater Control, of the Code of the Township of Green be amended as follows:

**SECTION 1.** Section 30-17.1A(b), Definition, is amended to include the following definitions:

*DE-ICING MATERIALS* - Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

*STORM DRAIN INLET* - The point of entry into the storm sewer system.

*PERMANENT STRUCTURE* - 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

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5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall

*PERSON* – Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

*RESIDENT* - person who resides on a residential property where de-icing material is stored.

**SECTION 4.** Section 30-17.1A(m), Privately-Owned Salt Storage, is created, to include the following:

m. Privately-Owned Salt Storage. The purpose of this section is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This section is meant to establish requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the Township of Green (privately-owned), including residences, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

1. Deicing 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:
  - 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

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- 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

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.

C. All temporary and/or permanent structures must 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 ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

2. 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 III 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.

3. Enforcement. The Township Administrator and/or Zoning Officer, shall enforce the provisions of this section. It shall be unlawful for any reason to violate any part of this section adopted by the Green Township Committee.

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**SECTION 2.** Section 30-17.1A(n), Violations and Penalties, is created to include the following:

n. 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 liable to a penalty not to exceed \$500 for each day on which the violation exists beyond the 72-hour compliance limit.

**SECTION 3.** Severability. Each section, subsection, sentence, clause, and phrase of this Section is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Section to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Section.

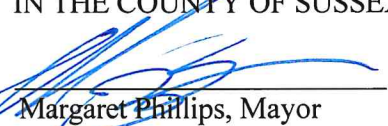
**SECTION 4.** Effective date. This Ordinance shall take effect upon final adoption and will be published as required by law.

NOTICE

The above-entitled Ordinance was introduced and passed at first reading by the Green Township Committee at a meeting held on November 4, 2024, and after publication and a public hearing was finally adopted by the Green Township Committee at a meeting held on November 25, 2024.

ATTEST:

  
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Mark Zschack, RMC, Township Clerk

TOWNSHIP OF GREEN,  
IN THE COUNTY OF SUSSEX  
  
\_\_\_\_\_  
Margaret Phillips, Mayor

**Record of Vote - Introduction:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung		√	√			
Qarmout				√		
Raffay	√		√			
Rose			√			
Mayor Phillips			√			

**Record of Vote - Adoption:**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung	√		√			
Qarmout				√		
Raffay		√	√			
Rose			√			
Mayor Phillips			√			

INTRODUCED: November 4, 2024  
ADOPTED: November 25, 2024

ADVERTISED: November 8, 2024  
ADVERTISED: December 1, 2024